

City Clerk File No. Ord - 15.152

Agenda No. 3 - A 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.152

TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT), ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY), SUB-ARTICLE I (DIVISION OF POLICE) OF THE JERSEY CITY MUNICIPAL CODE

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

A. The following supplement to Chapter 3 (Administration of Government), Article XI (Department of Public Safety), Sub-Article I (Division of Police) of the Jersey City Code is adopted:

**ARTICLE XI
Department of Public Safety
SUB-ARTICLE I
Division of Police**

§3-85.1 Off-duty employment.

- A. Definitions. As used in this section, the following terms shall have the following meanings unless the context clearly indicates otherwise:
- (1) "Alcohol Beverage Control premise" means one which is licensed by the Alcohol Beverage Control Board.
 - (2) "Director of Public Safety" means the Director of Public Safety or his or her designee.
 - (3) "City Owned Facility" means any property owned by the City of Jersey City rented by individuals or entities for the purpose of a privately held function.
 - (4) "Large Commercial Establishment" means a commercial establishment such as a store, bank or financial institution of four thousand (4,000) square feet or more or one (1) which is part of a franchise, chain or multi-store complex.
 - (5) "Construction Sites":
 - (a) "City Projects" means any construction project performed by a vendor pursuant to a contract with the City of Jersey City for a public project in City-owned or leased buildings or on City-owned or leased properties.
 - (b) "Private Contractor Projects" means:
 - (i) Any construction project other than a City Project as defined above; and
 - (ii) Construction projects for an owner occupied class 2 residential property (one (1) to four (4) units).
 - (6) "Employer" or "prospective employer" means a prospective employer of off-duty officers.
 - (7) "Event requiring major or unusual crowd control" means:
 - (a) An event where five thousand (5,000) people or more expected to attend, such as an athletic event; and

- (b) Any event where alcohol will be served; and
 - (c) Any event which in the opinion of the Director Public Safety will produce an unusual amount of vehicular or pedestrian traffic.
- (8) "Film Production Sites" include, but are not limited to, movie sets, television productions, and photography.
 - (9) "Holidays" are defined only as New Years Eve, New Years Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day following Thanksgiving Day, Christmas Eve and Christmas Day, and only those dates officially observed.
 - (10) "Person" means any individual, corporation, partnership or organization unless the context clearly indicates otherwise.
 - (11) "Superior Officer" means Sergeant, Lieutenant, or Captain.
 - (12) "Tax Exempt Organization" means a non-profit organization as defined by state or federal law.
 - (13) "Crossing Guards" means City personnel who regulate and direct the movement of pedestrians through traffic.
 - (14) "Off-Duty Personnel" shall mean Police Officers and Guards if applicable, Crossing Guards.
 - (15) "Office of Off-Duty Employment" means the office responsible for coordinating off-duty assignments and billing of off-duty police work.
 - (16) "Off-Duty Employment Intake Manager" means the civilian employee of the Public Safety Department who manages off-duty personnel requests and coordinates the number of off-duty personnel assigned to each work site, the Off-Duty Employment Intake Management reports to the Director of Public Safety.
 - (17) "Off-Duty Employment Intake Manager" means the civilian employee of the Public Safety Department who manages off-duty personnel requests and coordinates the number of off-duty personnel assigned to each work site, the Off-Duty Employment Intake Management reports to the Director of Public Safety.
- B. Purpose. For the convenience of those persons who utilize the services of off-duty personnel of the Jersey City Police Department, and to authorize the outside employment of Police Officers and Crossing Guards while off-duty, the City of Jersey City hereby establishes this policy. With regard to Police Officers only, this policy complies with Attorney General Formal Opinion 1977-No. 23. In limited situations involving pedestrian safety, Crossing Guards may be substituted for Police Officers at the discretion of the Off-Duty Employment Intake Manager.
- (1) Off-duty personnel, at their option, shall be permitted to accept employment from private employers, who are separate and independent from the City of Jersey City, only during off-duty hours and at such time as will not interfere with the efficient performance of regularly scheduled or emergency duty of the City; provided, however, that no off-duty personnel may work within a premises licensed by the Alcohol Beverage Board, including, but not limited to, bars, taverns, nightclubs that serve alcoholic beverages, liquor stores, or restaurants with liquor licenses. Off-duty personnel are not permitted on the "licensed premise" itself, which is the area licensed for alcohol consumption, retail sale or storage; provided further that no off-duty personnel may accept off-duty employment under this ordinance by any governmental agency of the City of Jersey City other than the Jersey City Housing Authority.
 - (2) Prospective employers of off-duty personnel shall: 1) obtain the prior written approval of the Off-Duty Employment Intake Manager, which approval shall be

granted if, in the opinion of the Off-Duty Employment Intake Manager, under the authority of the Director of Public Safety, such employment is necessary and would not be inconsistent with the efficient functioning and good reputation of the Police Department and would not unreasonably endanger or threaten the safety of the off-duty personnel who are to perform the work.

- (3) Upon approval by the Off-Duty Employment Intake Manager, the amount estimated to pay for the off-duty employment shall be deposited in the trust account established under subsection C.
- (4) No off-duty personnel shall be paid directly by any employer for requested services, nor provide services for more hours than specified in the request for services.
- (5) The Director of Public Safety is empowered to promulgate regulations and policies to effectuate this section.

C. Trust account established.

- (1) To assure the timely payment of wages to off-duty personnel who perform off-duty work, and to meet the requirements of the Fair Labor Standards Act, the City of Jersey City has established a trust account known as the "Off-Duty Employment Trust Account." This trust account is dedicated for the receipt of fees collected for the payment for off-duty employment. The "Off-Duty Employment Trust Account" shall be administered by the Off-Duty Billing Coordinator who shall make a written report to the Director of Public Safety and the Fiscal Officer every ninety (90) days regarding said account. Payments to off-duty personnel shall be on a biweekly basis with all appropriate deductions. All payments must be remitted directly to the City of Jersey City for said account. Deposits shall be in the form of certified check, bank check, money order, business check, credit card or electronic payment at the discretion of the Fiscal Officer.
- (2) Hour estimate:
 - (a) Hours Known: A prospective employer of off-duty personnel shall estimate the number of hours and days required. The estimate shall be approved in writing by the Off-Duty Employment Intake Manager and an amount sufficient to cover the rates of compensation and administrative fees set forth in subsection D for the total estimated hours of service shall be deposited into the Trust Account.
 - (b) Hours Unknown or In Excess of Ten (10) Days: In any instance where the number of hours cannot be reasonably estimated or is anticipated to be in excess of ten (10) days, a prospective employer shall deposit an amount sufficient to cover the rate of compensation and administrative fees set forth in subsection D for the equivalent of ten (10) days prior to the commencement of any services. Any unused portion of the deposit shall be returned or credited against the final amount owed.
- (3) Before posting any request for services of off-duty personnel, the Off-Duty Employment Intake Manager shall verify that the balance in the trust account of the prospective employer is sufficient to cover the compensation and fees for the number of hours specified in the request. The Off-Duty Employment Intake Manager shall not post a request for services unless all fees and compensation required in the manner described above have been deposited in the trust account.
- (4) Depletion of Funds in a Trust Account for any Individual Person or Entity: In the event the funds in any individual or entity's trust account should become depleted, services of off-duty personnel shall cease, and requests for further or future services shall not be posted until additional funds have been deposited in the trust account in the manner prescribed above. In the event of an unforeseen emergency situation that would require off-duty personnel to remain beyond the time for which funds have been posted, the Off-Duty Employment Intake Manager may

waive the requirement for posting additional funds after the first ten (10) hours for any employer exhibiting a previous satisfactory payment history. However, payment for the additional hours shall be made within forty-eight (48) hours.

- (5) A prospective employer shall be responsible for ensuring that sufficient funds remain in the trust account in order to avoid any interruption of services. In the event of a project which requires services over an extended period the Off-Duty Billing Coordinator may require advance payment equal to twenty-five (25) percent of the projected extended time period with additional twenty-five (25) percent advances as a project continues.
- (6) Exemption. Public utility companies under the jurisdiction of, and regulated by, the New Jersey Board of Public Utilities and the Jersey City Housing Authority are exempt from the provisions set forth in this section requiring advance payment to the trust account; providing, however, that there are no amounts previously due that are outstanding for a period in excess of fifteen (15) days. Any such delinquent balances shall require advance payment of the amount outstanding prior to any off-duty personnel engaging in any further off-duty assignments.

D. Requests for services.

- (1) Requests for the services of off-duty personnel for a period of one week or longer shall be forwarded to the Off-Duty Employment Intake Manager at least ten (10) days before such services are required. The Off-Duty Employment Intake Manager will compile a list of available Police Officers and/or Crossing Guards to perform the requested services.
- (2) Requests for the services of off-duty personnel for a period of less than one (1) week shall be forwarded to the Off-Duty Employment Intake Manager as soon as practicable, but in no event less than twenty-four (24) hours before such services are required, except in emergency situations.
- (3) In emergency situations, requests for services shall be made, as necessary, to the Off-Duty Employment Intake Manager who shall make every effort to accommodate such request in a reasonable manner in his or her discretion. If the emergency is imminent, the Director of Public Safety shall also have the ability to deploy off-duty personnel on an emergent basis. Any off-duty personnel, when so employed by private employers shall be compensated at the rates set forth in subsection D, hereafter. All payments in emergency situations shall be made within forty-eight (48) hours. Completed claim forms are to be provided to the Police Officer at the time the services are rendered and the Police Officer shall deliver same to the Off-Duty Employment Intake Manager.
- (4) In the event an Off-Duty Police Officer or Crossing Guard is unavailable to perform an assignment, the Off-Duty Employment Intake Manager will notify the next available Police Officer(s) or Crossing Guard(s) on the off-duty assignment list of the availability of the assignment until the assignment is filled. A Police Officer need not accept an off-duty assignment that does not guarantee a minimum of four (4) hours of off-duty employment. However, a Police Officer, at his or her discretion, may accept an off-duty assignment that provides less than four (4) hours of off-duty employment.
- (5) One (1) off-duty Superior Officer must be assigned for every ~~twelve (12)~~ twenty (20) off-duty Police Officers deployed. An off-duty Superior Officer's command is not limited to any one (1) specific project. The supervisor will be responsible for all off-duty Police Officers designated to his or her command irrespective of where those off-duty personnel are assigned. The cost of the off-duty supervisor shall come from the administrative fees paid by the employers.
- (6) In special circumstances the Off-Duty Employment Intake Manager, may, in consultation with the Director of Public Safety, assign a supervisor to oversee a

specific off-duty assignment if the Off-Duty Employment Intake Manager believes it is necessary to ensure the health, safety and welfare of the public.

E. Rates of compensation; administrative fees; payment for services.

- (1) Rates of compensation for the services of off-duty personnel are established as follows:

COMPENSATION FOR POLICE OFFICERS

CONSTRUCTION SITES	COMMERCIAL ESTABLISHMENTS	TAX EXEMPT ORG.
CITY PROJECTS \$35.00/hour SAT TIME & A HALF SUN-HOLIDAYS DOUBLE TIME AFTER 4 PM - Additional \$10.00/hour	Banks or Financial Institutions \$40.00/hour Other Commercial Establishments: OVER 4,000 SQ FT. \$40.00/hour Other Commercial Establishments UNDER 4,000 SQ Ft. \$25.00	\$35.00/hour
PRIVATE CONTRACTORS As Defined in A5(b)(i) SAT TIME & A HALF SUN-HOLIDAYS DOUBLE TIME AFTER 4 PM - Additional \$10.00/hour \$50.00/hour		
PRIVATE CONTRACTORS As Defined in A5(b)(ii) \$35.00/hour		

LARGE EVENTS UNDER 5,000 PEOPLE	LARGE EVENTS UNDER 5,000 PEOPLE	FILM PRODUCTION SITES
(Except City-Owned Facility Events) \$50.00/Hour <i>With alcohol present</i> \$55.00/hour	\$65.00	\$55.00/Hour

OUTSIDE AN ALCOHOLIC BEVERAGE CONTROL LICENSED PREMISE		CITY OWNED FACILITY
\$55.00/Hour		\$35.00/hour

Compensation for Crossing Guards: For pedestrian safety \$10.00/hour.

- * Employers are not charged directly for Superior Officers assigned pursuant to this ordinance, or any regulations or directives promulgated in furtherance of this ordinance. Superior Officers will receive compensation directly from the City at a rate of \$10.00 per hour higher than the highest paid off-duty Police Officer under his or her immediate supervision in a given off-duty assignment.

UNLESS STATED IN THE ABOVE TABLE, NO NIGHT, WEEKEND OR HOLIDAY DIFFERENTIAL

- (2) Any off-duty assignments over eight (8) hours shall be paid at a time and a half rate beginning with the ninth hour.

- (3) Fee for police vehicle and fuel per hour or part thereof: \$10.00. The necessity for a police vehicle at a particular site will be at the determination of the Off-Duty Employment Intake Manager.

F. Administrative Costs. An additional fee of ~~[\$8.00]~~ \$12.00 per Police Officer/Crossing Guard per hour is hereby established to cover administrative costs, overhead and out-of-pocket expenses of the City. This additional fee shall not be charged to a nonprofit organization for an event in a City-owned building nor to the Jersey City Housing Authority. The aforesaid rates shall be reviewed every three (3) years commencing January 1, 2014.

The Off-Duty Employment Intake Manager or the Director of Public Safety may adjust or waive the administrative fees in cases in which the fee here described would result in undue hardship, be prohibitive or would otherwise undermine the interest of public safety.

G. Cancellation. If a prospective employer fails to notify the Off-Duty Employment Intake Manager at least twelve (12) hours before the commencement of services that those services are no longer needed, and the off-duty Police Officer(s) or Crossing Guard(s) arrive for the assignment, the prospective employer shall compensate the Police Officer(s) or Crossing Guards for four (4) hours, and those off-duty Police Officer(s) or Crossing Guard(s) will be moved to another off-duty job, if available.

H. Public Emergency. The Director of Public Safety, Chief of Police, or ranking Chief of Patrol shall have the authority to order any off-duty personnel engaged in off-duty assignments to respond to an emergency. The Director of Public Safety may terminate an assignment whenever said assignment creates an unacceptable risk to the off-duty Police Officer or Crossing Guard or to the citizens of the City. If an off-duty assignment is cancelled or terminated by the Director of Public Safety, the employer shall not be responsible for any compensation or fees until the Police Officer or Crossing Guard returns to the assignment.

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. The City Clerk shall have this ordinance codified and incorporated in official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code; in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in ~~[brackets]~~ are omitted.
For purposes of advertising only, new matter is **boldface** and repealed matter by *italics*.

JM/he
11/04/15

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (ADMINISTRATION OF GOVERNMENT), ARTICLE XI (DEPARTMENT OF PUBLIC SAFETY), SUB-ARTICLE I (DIVISION OF POLICE) OF THE JERSEY CITY MUNICIPAL CODE

Initiator

Department/Division	Public Safety	Police
Name/Title	James Shea/Bob Kakoleski	P.S. Director/BA
Phone/email		

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The State of New Jersey's Local Finance Notice 2000-14 says in setting fair wage rates for the officers, the municipality may establish fees to recoup the costs associated with the administration of the Off-Duty or Outside Employment Program. In 2013, the original ordinance was amended to increase the hourly administration fee from \$5.00 p/h to \$8.00 p/h for every officer detail. The previous \$5.00 rate was sufficient to cover the program's administrative costs.

Because of the number of assignments per day, Police management determined additional supervision was required without depleting the "on-duty patrols". The \$3 increase was to cover the assignment of "off-duty" supervisors to the program at a ratio of 1 supervisor for every 12 officers.

After a budgetary review of the program, it has been determined that the existing administrative fee is not sufficient to cover the costs of the program as well as the costs of the assigned supervisors. In 2012, the program generated \$1,000,000 to cover the programs operating costs which didn't include police supervisors. In 2015, that number is anticipated to be \$274,000. We are not collecting enough to support the supervisors and the administrative costs in direct contradiction with the LFN and purpose of the "admin fee".

Therefore, this ordinance is requesting to increase the administration fee from \$8.00 per hour to \$12.00 and change the supervisor ratio from 1 for every 12 officers to 1 for every 20 officers.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

11/5/15

City Clerk File No. Ord. 15.153

Agenda No. 3.B 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.153

TITLE:

AN ORDINANCE AMENDING CHAPTER 254, (PROPERTY MAINTENANCE) ARTICLE IX (MAINTENANCE RESPONSIBILITIES OF OWNERS AND MANAGERS) OF THE JERSEY CITY MUNICIPAL CODE TO MANDATE REGULAR INSPECTION REQUIREMENTS FOR FIRE ESCAPES, EXTERIOR BRIDGES AND EGRESS BALCONIES

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY DOES ORDAIN:

WHEREAS, Jersey City is a densely populated City with a large number of older apartment buildings; and

WHEREAS, residents of these older apartment buildings rely on fire escapes, exterior bridges and egress balconies to exit these buildings during emergencies; and

WHEREAS, a recent spate of local fire escape malfunctions has underscored the need to regularly inspect fire escapes, exterior bridges and egress balconies to insure that they can operate safely during an emergency; and

WHEREAS, a fire escape recently collapsed during a fire at Garfield Avenue resulting in several injuries and a fire escape weight fell during an evacuation of a building along Kennedy Boulevard killing the building superintendent; and

WHEREAS, Section 103.4 of the New Jersey Uniform Fire Code (N.J.A.C. 5:70-3) authorizes the municipality's Fire Official to require a property owner to provide a technical opinion report prepared by a professional engineer, architect or other qualified professional certifying to the integrity of a building's safety features upon demand at no cost to the City; and

WHEREAS, Section 1028.6 of the New Jersey Uniform Construction Code (N.J.A.C. 5:23) provides minimum standards to emergency egress structures such as fire escapes and exterior fire stairways; and

WHEREAS, in order to protect the health, safety and welfare of the public, it is imperative that the City's Fire Prevention Bureau be empowered to demand the regular inspection of fire escapes, exterior bridges and egress balconies at least every five years to assure that they will work as planned during an emergency.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that Chapter 254, (Property Maintenance) Article IX (Maintenance Responsibilities of Owners and Managers) of the Jersey City Municipal Code be amended to read:

ARTICLE IX - Maintenance Responsibilities of Owners and Managers

§ 254-42. - Compliance required.

**AN ORDINANCE AMENDING CHAPTER 254, (PROPERTY MAINTENANCE)
ARTICLE IX (MAINTENANCE RESPONSIBILITIES OF OWNERS AND
MANAGERS) OF THE JERSEY CITY MUNICIPAL CODE TO MANDATE
REGULAR INSPECTION REQUIREMENTS FOR FIRE ESCAPES, EXTERIOR
BRIDGES AND EGRESS BALCONIES**

No person shall occupy or let to another for occupancy any dwelling, dwelling unit or rooming unit for the purpose of living therein or any nonresidential building or part thereof for any business, commercial, governmental, industrial, institutional or other human use which does not comply with the requirements set forth in § 254-43.

§ 254-43. - Maintenance of exterior of premises.

- A. The exterior of the premises and all structures thereon shall be kept free of all nuisances, unsanitary conditions and fire or safety hazards in the public areas and any of the foregoing shall be removed and abated promptly by the owner or manager.
- B. Without limiting the generality of Subsection A, the maintenance includes:
- (1) Keeping alleys, driveways, fire escapes, porches, sidewalks, exterior stairways and yards reasonably clean and free from filth, garbage, obnoxious weeds, refuse or other debris and free from hazardous objects or conditions, such as excavations or holes, dead and dying trees, so as to afford safe passage and use.
 - (2) Providing and maintaining runoff drains adequate to prevent recurrent accumulations of stormwater or the entrance of water into a basement or cellar.
 - (3) Keeping the premises free of conditions conducive to infestation by vermin or insects, such as rodent harborages or stagnant water, and other known sources of infestation.
 - (4) Keeping any accessory building and any fence in good repair and free from fire, health and safety hazards.
 - (5) Providing a fence or wall of sufficient height to prevent persons from falling down the sharp drop in grade wherever there exists on any land a sharp drop in the grade of such land from the level of the street or sidewalk to said land or wherever there is a sharp drop in grade from said land to the level of the street or sidewalk and maintaining said fence or wall in safe and sound condition.
 - (a) If the Chief finds that any such fence or wall is in such condition as to create an unsafe condition or where he or she finds that no fence or wall exists where one is needed to prevent falls, he or she shall immediately notify the owner of the property and order said owner to forthwith repair, replace or install the fence or wall called for in Subsection B(5) of this section so as to eliminate such hazard.
 - (b) If the owner fails to comply with said order, the Chief shall notify the Director of Housing Code Enforcement who then shall cause such fence or wall to be repaired, replaced or installed so as to provide the required protection, and the cost thereof shall be charged to the owner of said property and collected in the manner provided in this chapter.
 - (c) In such emergency cases, the provisions of § 254-17G of Article III of this chapter regarding notice and hearing shall apply.

§ 254-44. - Appearance of exterior of premises.

- A. Residential. The exterior of the premises, the exterior of all dwelling and the exterior of all accessory structures shall be maintained so that the appearance of the premises and all building thereon shall reflect a level of maintenance in keeping with the residential standards of the neighborhood or such higher standards as may be adopted as part of a plan of urban renewal by the City of Jersey City. The maintenance also shall be at sufficiently high level that the appearance of the premises and structures shall not constitute a blighting factor for adjoining property owners nor an element leading to the progressive deterioration and downgrading of the neighborhood with the accompanying diminution of property values.
- B. Prescribed methods of maintaining appearance. Without restricting the generality of Subsection A, the methods of maintaining the appearance of the exterior of premises and structures shall include the prescribed actions on the following matters:

**AN ORDINANCE AMENDING CHAPTER 254, (PROPERTY MAINTENANCE)
ARTICLE IX (MAINTENANCE RESPONSIBILITIES OF OWNERS AND
MANAGERS) OF THE JERSEY CITY MUNICIPAL CODE TO MANDATE
REGULAR INSPECTION REQUIREMENTS FOR FIRE ESCAPES, EXTERIOR
BRIDGES AND EGRESS BALCONIES**

- (1) Front yard parking. No person shall park, stop or stand any motor vehicle, or permit or suffer the same to be done, in any front yard area of premises occupied by a dwelling, lodging house or hotel, except on driveways and parking areas constructed and installed in compliance with applicable provisions of the Jersey City Code. Effective on and after January 1, 1968, no such driveways or parking areas shall be constructed less than three (3) feet from the interior front sidewalk line adjacent to said premises.
 - (2) General maintenance. The exterior of every structure or accessory structure, including fences, shall be maintained in good repair and all surfaces thereof shall be kept painted or whitewashed where necessary for purposes of preservation and appearance. The same shall be maintained free of broken glass, loose or broken shingles or siding, crumbling stone or brick, peeling paint or other condition reflective of deterioration or inadequate maintenance to the end that the property itself may be preserved, fire and safety hazards eliminated and adjoining properties and the neighborhood protected from blighting influences.
 - (3) Landscaping. Premises shall be kept landscaped and lawns, hedges and bushes shall be kept trimmed and from becoming overgrown and unsightly so that the same may not depreciate adjoining property or impair the residential character of the neighborhood.
 - (4) Reconstruction of walls and siding. All reconstruction of walls and siding shall be of standard quality and appearance commensurate at least with the residential character of the properties in the same block and on both sides of the street on which the premises front, so that the materials used will not be of a kind that by their appearance under prevailing appraisal practices and standards will depreciate the values of neighboring and adjoining premises.
 - (5) Signs. All signs permitted by reason of other regulations or as a lawful nonconforming use shall be maintained by their owner in good repair and lettering, illustrations or pictures contained on either side thereof shall be kept legible and intact while in use. Such signs shall be removed by their owner when no longer in use.
 - (6) Storage of commercial and industrial material. No equipment or materials relating to business, commercial or industrial uses shall be stored or used at a location visible from the sidewalk, street or other public areas unless permitted under Chapter 345, Zoning, of this Code applicable to the premises.
- C. Nonresidential. The exterior of the premises and the condition of every structure and accessory structure, including fences, shall be maintained so that their appearance shall reflect a level of maintenance in keeping with the standards of the neighborhood or such higher standards as may be adopted as part of a plan of urban renewal by the city and such that the appearance of the premises and structures shall not constitute a blighting factor for adjoining property owners nor an element leading to the progressive deterioration and downgrading of the neighborhood with the accompanying diminution of property values.
- D. Without limiting the generality of Subsection C, the methods of maintaining the appearance of the exterior of premises and structures shall include the prescribed actions on the following matters:
- (1) Awnings and marquees. Any awning or marquee and its accompanying structural members which extend over any sidewalk, street or other portion of the premises shall be maintained in good repair so as not to constitute a nuisance or safety hazard. In the event that such awnings or marquees are not properly maintained in accordance with the foregoing, they and their supporting members shall be removed forthwith. Where such awnings or marquees are made of cloth, plastic or similar materials any and all parts of said materials exposed to public view shall be maintained in good condition free of discoloration, excessive weathering, holes or tears. Nothing herein shall be construed to authorize any encroachment on sidewalks, streets or other parts of the public domain.
 - (2) Landscaping. Premises shall be kept landscaped and bushes, hedges and lawns shall be kept trimmed and from becoming overgrown and unsightly so that the same may not depreciate adjoining property.

**AN ORDINANCE AMENDING CHAPTER 254, (PROPERTY MAINTENANCE)
ARTICLE IX (MAINTENANCE RESPONSIBILITIES OF OWNERS AND
MANAGERS) OF THE JERSEY CITY MUNICIPAL CODE TO MANDATE
REGULAR INSPECTION REQUIREMENTS FOR FIRE ESCAPES, EXTERIOR
BRIDGES AND EGRESS BALCONIES**

- (3) Signs and billboards. All permanent signs and billboards exposed to public view and permitted by other regulations or as a lawful nonconforming use shall be maintained in good repair. Signs which have become faded or excessively weathered or those upon which the paint has become cracked or peeled shall, with their supporting members, be removed forthwith or put into a state of good repair. All nonoperative or broken electrical signs shall be repaired or shall, with their supporting members, be removed forthwith.
- (4) Signs or advertising; removal.
 - (a) Except for "for rent" or "for sale" signs, any temporary sign or other paper advertising material attached to a window or windows or otherwise exposed to public view shall be removed at the expiration of the event or sale for which it is erected or within sixty (60) days after erection if this occurs sooner.
 - (b) Except during the course of alterations or repairs, no more than fifty percent (50%) of the square footage of any single window or window display area shall be devoted to signs or other temporary advertising material attached to said window or windows or otherwise exposed to public view unless the establishment involved is located in a nonresidential zone and is lighted and ventilated adequately by artificial means. In the latter case, up to one hundred percent (100%) of any single window or window display area may be devoted to signs or other temporary advertising material.
- (5) Storefronts.
 - (a) All storefronts shall be kept in good repair, painted where required and free of any condition constituting a nuisance or safety hazard.
 - (b) In the event that repairs to a storefront become necessary, such repairs shall be made with materials the same as or similar to those used in the construction of the storefront and in such a manner as to permanently repair the damaged area or areas.
 - (c) Any cornice visible above a storefront shall be kept painted, where required, and in good repair.
- (6) Windows. All windows exposed to public view shall be kept clean and free of marks or foreign substances except when necessary in the course of changing displays. No storage of materials, stock or inventory shall be permitted in window display areas or other areas ordinarily exposed to public view unless said areas first are screened from the public view by drapes, blinds or some permanent method of rendering said windows opaque, but in no case shall such storage and screening be permitted in the event that such screening would violate the natural light and ventilation regulations applicable to the premises. All permitted screening of interiors shall be maintained in clean and attractive condition and in a state of good repair.

§ 254-45. - General safety and sanitation.

- A. Residential. Every dwelling and accessory structure and every part thereof shall be maintained in a structurally sound condition and in a state of good repair. All parts of a dwelling also shall be kept in a clean and sanitary condition, free of nuisances, insects, rodents, vermin or other pests, and free from fire, health and safety hazards.
- B. Without restricting the generality of Subsection A, the following requirements shall be met:
 - (1) Load-bearing capacity. Every part of a dwelling shall be maintained so as to be capable of sustaining safely its own weight and any additional weight that may be put on it through normal use.
 - (2) Painting and other protective coating. All exposed surfaces susceptible to decay, at all times shall be kept painted or covered by another protective coating sufficient to prevent deterioration.

**AN ORDINANCE AMENDING CHAPTER 254, (PROPERTY MAINTENANCE)
ARTICLE IX (MAINTENANCE RESPONSIBILITIES OF OWNERS AND
MANAGERS) OF THE JERSEY CITY MUNICIPAL CODE TO MANDATE
REGULAR INSPECTION REQUIREMENTS FOR FIRE ESCAPES, EXTERIOR
BRIDGES AND EGRESS BALCONIES**

- (3) Weathertightness and watertightness. Every dwelling shall be maintained so as to be weathertight and watertight.
- (4) Foundation.
 - (a) A foundation wall of a dwelling shall be maintained so as to prevent the entrance of moisture, insects and rodents.
 - (b) Without restricting the generality of Subsection B(4)(a), the maintenance includes shoring of the wall where necessary, installing subsoil drains at the footing, grouting masonry cracks, waterproofing the wall and joists and using other suitable means.
- (5) Exterior wall and its components.
 - (a) An exterior wall of a dwelling and its components shall be maintained so as to prevent its deterioration due to weather and insects and to preserve its appearance.
 - (b) Without restricting the generality of Subsection B(5)(a), the maintenance includes the painting, or whitewashing, repairing or restoring of the wall, coping or flashing; waterproofing of the joists; waterproofing of the wall itself; installing of termite shields in buildings erected after the adoption of this chapter, if required by Chapter 131, Uniform Construction Codes; repairing of termite shields, if any; extermination of termites in infested buildings; and treating of the soil with poison and using other suitable means.
- (6) Exterior wall of accessory building. An exterior wall of an accessory building shall be maintained so as to prevent its deterioration and to preserve its appearance.
- (7) Roof.
 - (a) A roof of a dwelling shall be maintained in a watertight condition so as to prevent leakage into the dwelling.
 - (b) Without restricting the generality of Subsection B(7)(a), the maintenance includes repairing of the roof and flashing, applying waterproof coatings, installing or repairing gutters and leaders and using other suitable means.
 - (c) Dangerous accumulations of snow or ice or both shall be removed from the roof of a dwelling or accessory building.
- (8) Windows, exterior doors and hatchways.
 - (a) Every window, exterior door and hatchway shall be maintained so as to be weather-tight, watertight and rodent-proof and shall be kept in good repair.
 - (b) Without restricting the generality of Subsection B(8)(a), the maintenance includes painting and renewing rotted or damaged doors, door frames, window frames, sills, sashes and casing, refitting doors and windows, weatherstripping, replacing broken or worn window cords and defective door and window hardware, re-glazing and using other suitable means.
- (9) Exterior balconies, fire escapes, landings, porches, exterior bridges and stairs.
 - (a) Exterior balconies, fire escapes, landings, porches, exterior bridges and stairs shall be provided with banisters or railings properly designed and maintained to minimize the hazard of falling and also shall be maintained free of holes and cracks, clear of obstructions and in structurally sound condition.
 - (b) Without limiting the generality of Subsection B(9)(a), the banisters or railings shall be required on the open side of a stairway, fire escape, balcony, exterior bridges, porch, landing and stairwell. In addition, the banister or railing shall be coated with a durable fire-retardant and heat-

AN ORDINANCE AMENDING CHAPTER 254, (PROPERTY MAINTENANCE) ARTICLE IX (MAINTENANCE RESPONSIBILITIES OF OWNERS AND MANAGERS) OF THE JERSEY CITY MUNICIPAL CODE TO MANDATE REGULAR INSPECTION REQUIREMENTS FOR FIRE ESCAPES, EXTERIOR BRIDGES AND EGRESS BALCONIES

resistant coating that shall meet Class A flamespread rating of the American Society for Testing and Materials and shall be overcoated with a semigloss, fire inert, enamel coating capable of meeting the durability standard set by Federal (DOD) Specification No. TT-P-0026B.

(c) All fire escapes exterior bridges and egress balconies shall be examined and/or tested, and certified for structural adequacy and safety every five (5) years, by a professional engineer, architect or other qualified professional acceptable to the Fire Prevention Bureau; said engineer or professional shall then submit an affidavit to the Fire Prevention Bureau attesting to the structural adequacy of the fire escape/exterior bridge/egress balcony. Once the affidavit is received and approved, a green tag provided by the Bureau of Fire Prevention bearing the signature of the Fire Prevention Officer and the year of inspection shall be affixed to the ladder of the fire escape or railing of the exterior bridge or egress balcony by the property owner.

(d) Any fire escape, exterior bridge or egress balcony found to be in a state of deterioration or determined to be unsafe by the Fire Prevention Bureau shall be repaired immediately. Depending upon the structural condition, a load test of any fire escape shall be conducted before the escape is returned to service in accordance with the N.J.A.C. 5:23, the Uniform Construction Code.

(10) though (37)

NO CHANGE.

- I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- III. This Ordinance shall take effect at the time and in the manner as provided by law.
- IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

Note: All new material is underlined; words ~~struck through~~ are omitted.

For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

JJH 11/4/15

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

AN ORDINANCE AMENDING CHAPTER 254, (PROPERTY MAINTENANCE) ARTICLE IX (MAINTENANCE RESPONSIBILITIES OF OWNERS AND MANAGERS) OF THE JERSEY CITY MUNICIPAL CODE TO MANDATE REGULAR INSPECTION REQUIREMENTS FOR FIRE ESCAPES, EXTERIOR BRIDGES AND EGRESS BALCONIES

Initiator

Department/Division	Mayor's Office	Mayor's Quality of Life Task Force (MQLTF)
Name/Title	Douglas Carlucci	Aide to the Mayor; Chairman, MQLTF
Phone/email	201-547-4943	dcarlucci@icnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

Requires all fire escapes, exterior bridges, and egress balconies to be inspected once every five years by a structural engineer or qualified professional acceptable to the Fire Prevention Bureau. Building owners are responsible for submitting an affidavit to the Fire Prevention Bureau attesting to successful inspection.

See attached memo for more information.

I certify that all the facts presented herein are accurate.


Signature of Department Director

11-4-15
Date



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY

OFFICE OF THE MAYOR

CITY HALL | 280 GROVE STREET | JERSEY CITY, NJ 07302
P: 201 547 5500 | F: 201 547 5442



STEVEN M. FULOP
MAYOR OF JERSEY CITY

MEMORANDUM

DATE: November 4, 2015

TO: Municipal Council President Rolando Lavarro

FROM: Douglas Carlucci, Chairman, Mayor's Quality of Life Task Force

SUBJECT: Ordinance mandating regular inspection of fire egress structures

On June 15, the Fire Department responded to a two-alarm fire at 500 Garfield Avenue, a four-story apartment building with 23 units owned by Riveredge Management of Clifton, NJ. While residents were exiting the building via the exterior fire escape structure during the fire, the steps of the structure collapsed. Fortunately, no one was hurt.

Currently there is no mandate for building owners to have fire egress structures, including fire escapes, exterior bridges, and egress balconies, regularly inspected. Safe, sound, and reliable fire egress structures are essential for residents' safety, especially in a city with very old housing stock such as ours. Because of this, it is fair to ask property owners to regularly inspect these structures.

Under the attached ordinance, property owners would be responsible for having fire escapes, exterior bridges, and egress balconies, inspected once every five years by a structural engineer or a professional acceptable to the Fire Prevention Bureau. Owners would be responsible for filing an affidavit with the Bureau certifying that a structure has passed inspection. Fire egress structures that pass inspection will be issued green tags for easy reference by Fire Department personnel.

In order to ascertain the approximate cost that would be imposed on property owners by this ordinance, the Fire Prevention Bureau solicited informal quotes from two Jersey City ironworks companies for the sort of inspection required by this ordinance. Each of these companies previously has performed inspections ordered by the Bureau. One company quoted the work at \$250; the other at \$300. This is a price for the inspection only.

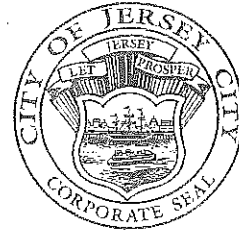
Fire Prevention Bureau director Captain Dennis Nuber, whose division would be responsible for administering this ordinance, and I will attend the Municipal Council Caucus meeting on Monday, November 9, to take questions from you and your Municipal Council colleagues. Before then, please feel free to reach out to me with any questions or issues at (201) 547-4943 or dcarlucci@jcnj.org.

CC: Margaret DeVico, Municipal Council secretary

City Clerk File No. Ord. 15.154

Agenda No. 3.C 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE **15.154**

TITLE:

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-9 (STOP INTERSECTIONS) OF THE JERSEY CITY TRAFFIC CODE DESIGNATING JERSEY CITY BOULEVARD AND WILSON STREET AS A MULTI-WAY STOP INTERSECTION

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) Section 332-9 (Stop Intersections) of the Jersey City Traffic Code is hereby supplemented as follows:

Section: 332-9 Stop Intersections.

The Intersections listed below are hereby designated as stop intersections. Stop signs shall be installed as provided therein.

Street 1 (Stop Sign On)	Direction of Travel	Street 2 (At Intersection)
<u>Jersey City Blvd</u>	<u>West</u>	<u>Wilson St - Multi</u>
Wilson St	South	Jersey City Blvd- <u>Multi</u>

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. This ordinance shall take effect at the time and in the manner as prescribed by law.
5. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material to be inserted is underscored.

JDS:pcl
(10.23.15)

APPROVED: _____
Director of Traffic & Transportation

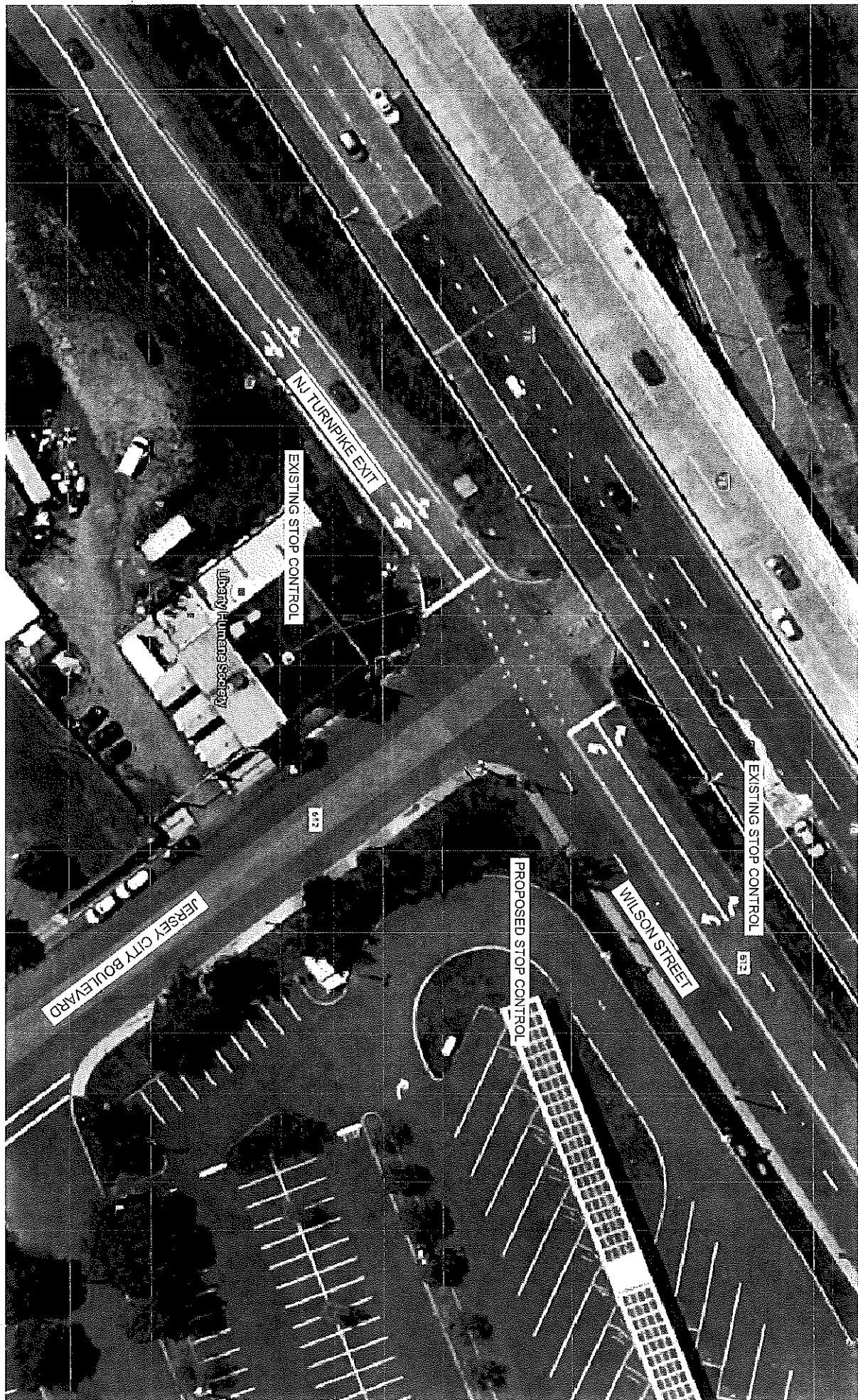
APPROVED AS TO LEGAL FORM

APPROVED: _____
Municipal Engineer
APPROVED: _____

Corporation Counsel

Business Administrator

Certification Required ☐
Not Required ☐



ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-9 (STOP INTERSECTIONS) OF THE JERSEY CITY TRAFFIC CODE DESIGNATING JERSEY CITY BOULEVARD AND WILSON STREET AS A MULTI-WAY STOP INTERSECTION

Initiator

Department/Division	Administration	Architecture, Engineering, Traffic and Transportation
Name/Title	Joao D'Souza	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

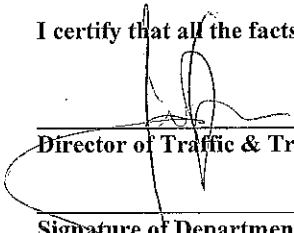
Ordinance Purpose

DESIGNATING JERSEY CITY BOULEVARD AND WILSON STREET AS A MULTI-WAY STOP INTERSECTION, STOPPING TRAFFIC ON JERSEY CITY BOULEVARD

Wilson Street southbound at Jersey City Boulevard and Wilson Street the New Jersey Turnpike Extension Exit are already designated stop streets and are signed accordingly.

Designating Jersey City Boulevard at Wilson Street as a "stop" street will increase traffic safety at the intersection.

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation

Signature of Department Director

10/23/15

Date

Date



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURE, ENGINEERING, TRAFFIC & TRANSPORTATION
MUNICIPAL SERVICES COMPLEX | 13-15 LINDEN AVE EAST | JERSEY CITY, NJ 07305
P: 201 547 5900 | F: 201 547 5806



ROBERT KAKOLESKI
BUSINESS ADMINISTRATOR

MEMORANDUM

DATE: October 23, 2015

TO: Jeremy Farrell, Corporation Counsel
Robert Kakoleski, Business Administrator
Robert Byrne, City Clerk
James Shea, Director, Department of Public Safety
Councilwoman Coleman, Ward F

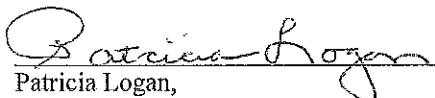
FROM: Patricia Logan, Supervising Traffic Investigator
Division of Architecture, Engineering, Traffic and Transportation

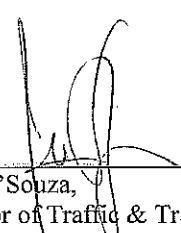
SUBJECT: **PROPOSED ORDINANCE – STOP INTERSECTIONS**

Please be advised an Ordinance has been proposed by this Division, (for Municipal Council approval), supplementing Chapter 332(Vehicles and Traffic) Section 332-9 (Stop Intersections) of the Jersey City Code. The proposed legislation designates Jersey City Boulevard and Wilson Street as a “multi-way stop” intersection stopping traffic on Jersey City Boulevard.

The additional traffic control on Jersey City Boulevard, where it intersects with Wilson Street and with the New Jersey Turnpike Extension Exit, will increase traffic safety at the intersection.

It is anticipated that this Ordinance will be on the Agenda for the November 10, 2015 Municipal Council meeting. If you have any questions, feel free to contact Andrew Vischio @ extension 4419 or at AVischio@jenj.org.


Patricia Logan,
Supervising Traffic Investigator

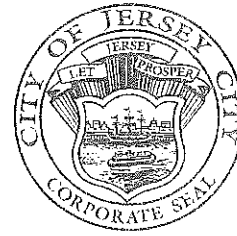

Joao D'Souza,
Director of Traffic & Transportation

C: Andrew Vischio, P.E., Assistant Traffic Engineer
Jose R. Cunha, P.E., Municipal Engineer
Brian Weller, L.L.A., ASLA, Director, Architecture, Engineering, Traffic and Transportation
Mark Albiez, Chief of Staff
Philip Zacche, Chief of Police
Daniel Solitti, Captain, East District
Darren Rivers, Fire Chief
Mary Spinello-Paretti, Business Manager, Division of Parking Enforcement, Department of Public Safety
Council President Lavarro, Jr. Councilwoman Watterman Councilman Rivera
Councilman Gajewski Councilman Ramchal Councilman Boggiano
Councilman Yun Councilwoman Osborne

City Clerk File No. Ord. 15.155

Agenda No. 3.D 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.155

TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VII (METERED PARKING) OF THE JERSEY CITY MUNICIPAL CODE

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

WHEREAS, metered parking in the City owned off-street lots needs to be specifically authorized by the Municipal Council; and

WHEREAS, the Municipal Council should be authorized to waive the charges by the adoption of a resolution as needed.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

- A. The following amendments to Chapter 332 (Vehicles and Traffic) Article VII (Metered Parking) are hereby adopted:

VEHICLES AND TRAFFIC

ARTICLE VII Metered Parking

§332-47. No Change.

§332-48. Designation of Parking Spaces.

The Division of Parking Enforcement is hereby directed and authorized to provide for the marking off of individual parking spaces in the parking meter zones designated and described below, said parking spaces to be designated by lines painted or marked on the curbing or surface of the street or lot. At each space so marked off, it shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated. When a parking space in any parking meter zone is at right angles or diagonal to the curb, sidewalk or island, any vehicle parked in such a parking space shall be parked with the front of the vehicle facing such meter.

- A. On-Street Parking Meter Zones. Parking or standing a vehicle in a parking meter space in the on-street parking meter zones described below shall be lawful during the hours specified only upon the deposit of such amount as is indicated for each specified period of time:

ON STREET PARKING METER ZONES	
NAME OF STREET	LIMITS
Academy St	Tuers Av to Tonnele Ave
Baldwin Av	Courthouse Pl to Newark Av
Barrow St	Columbus Dr to Newark Av

Bay St	Newark Av to Grove St
Bergen Av	Jewett Av to Sip Av
Bleecker St	Both sides: Central Av 75 feet west
Brunswick St	Newark Av to Wayne St
Central Av	Booream Av to North St
Central Av	Newark Av to Pavonia Av
Charles St	Central Av 200 feet west
Clifton Pl	Fairmount Av to Baldwin Av
Coles St	Newark Av to Second St
Columbus Dr	Grove St to Brunswick St
Congress St	Central Av 100 feet east
Cook St	Newark Av to Hoboken Ave
Cottage St	Kennedy Blvd 200 feet west
Douglas and Arthur Skinner Memorial Dr (FKA: Jersey Av)	West Side: Grand St south to the light rail tracks
Ege Av	West Side Av 200 feet west
Enos Pl	Entire length
Erie Pl	Newark Av to Second St
Fairmount Av	Monticello Av to Boland St
First St	Jersey Av to 200 feet west of Brunswick St
Franklin St	Central Av to Cambridge Av
Gautier Av	West Side Ave 200 feet west
Glenwood Av	Bergen Av 100 feet west
Graham St	Central Av 200 feet west
Grand St	Arlington Av to Johnston Av
	River St (private roadway) to Tidewater St (private roadway)
Greene St	Montgomery St to Columbus Dr
Griffith St	Central Av 200 feet east and west
Grove St	Grand St to First St
Hoboken Av	Summit Av to Palisade Av
Hudson Street	Both sides: Light Rail Crossing to Second Street
Hutton St	Central Av 200 feet west
Jersey Av	First St to Columbus Dr
Jones St	Sip Av to Newkirk St
Journal Square	Entire length
Liberty Av	East side; Newark Av to Van Winkle Av
Lincoln St	Central Av 200 feet west
Lott St	North side, from Central Av to west terminus
Magnolia Av	Tonnele Av to Summit Av
Mercer St	Marin Blvd to Grove St
Mercer St	Tuers Av to Bergen Av
Monmouth St	Columbus Dr to Third St
Montgomery St	Bergen Av to Boland St
Montgomery St	Hudson St to Marin Blvd
Montgomery St	Monmouth St to Colgate St
Montgomery St	North side, from Kennedy Blvd to West Side Av
Morgan St	North side: Greene St to Washington St
Newark Av	Chestnut Av to Tonnele Av
Newark Av	Grove St to Brunswick St
Newkirk St	Summit Av to Tuers Av
North St	Central Av 200 feet east and west
Oakland Av	Newark Av to Hoboken Av
Palisade Av	Griffith St to Ravine Av

Paterson St	Central Av 200 feet west
Pavonia Av	Baldwin Av to Summit Av
Second St	Coles St 200 feet west of Brunswick St
Sherman Pl	Central Av 200 feet west
Sip Av	Tonnele Av to Summit Av
Smith St	Entire length
South St	Central Av 200 feet east and west
Storms Av	Bergen Av to Monticello Av
Summit Av	East: Rock St to 44 feet south of Sip Av
Summit Av	East: Magnolia Av south 175 feet
Summit Av	East: Pavonia Av to 180 feet south of Newark Av
Summit Av	East: 180 feet north of Newark Av to 200 feet south of Route 139
Summit Av	West: 200 feet south of Route 139 to 180 feet north of Newark Av
Summit Av	West: Cottage St to Van Reipen Av
Summit Av	West: Pavonia Av to 118 feet south of Magnolia Av
Third St	Monmouth St to 200 feet west of Brunswick St
Thorne St	Central Ave 200 feet west
Tonnele Av	Sip Av to Kennedy Blvd
Town Square Pl	Ring Rd to Washington Blvd
Tuers Av	West side: Montgomery St to Mercer St
Tuers Av	East side: Montgomery St 250 feet north
Union St	West Side Av 200 feet east and west
Van Reypen St	Sip Av to Academy St
Virginia Av	West Side Av 200 feet west
Warren St	Montgomery St to York St
Warren St	East side: 35 feet north of Columbus Drive to 60 feet north
Washington St	Grand St to Columbus Dr
West Side Av	Claremont Av to Newark Av
West Side Av	Stegman Pkwy to Audubon Av
Williams Av	West Side Av 100 feet west
York St	Washington St to Greene St
Zabriskie St	Central Av 200 feet west

B. Off-Street Parking Lot Meter Zones. Parking or standing a vehicle in a parking meter space in the off-street parking lot meter zones described below shall be lawful during the hours specified only upon the deposit of such amount as is indicated for each specified period of time:

OFF-STREET PARKING LOT METER ZONES	
LOT #	LOCATION
1	Oakland/Washburn/Hoboken Avenue (leased from DOT)
2 [a/k/a 28]	Montgomery Street & Orchard Street (leased)
3 [a/k/a 33]	277 Central Avenue (Sherman Place)
4 [a/k/a 39]	522 West Side Avenue (Between Clendenny Avenue & Union Street)
5 [a/k/a 44]	693 Newark Avenue & Cottage Street
6 [a/k/a 49]	328-348 Central Avenue (Burger King Lot)
9 [a/k/a 52]	174 Newark Avenue
12 [a/k/a 56]	733-735 Newark Avenue (leased from DOT)
13 [a/k/a 15]	754 West Side Avenue (between Fairview and Fairmount Avenue)
14 [a/k/a 3]	352 Central Avenue
15 [a/k/a 4]	388 Central Avenue

- C. Metered Parking Waiver. Upon a finding of public necessity, need or for a public purpose, the Municipal Council may adopt a resolution to allow free parking in any metered zone, on-street or off-street, in whole or in part, for a stipulated period of time. A copy of the resolution shall be immediately forwarded to the Police Chief and Police Director.

§332-4 9. Through §332-57. No Change.

- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take effect retroactive to January 1, 2015.
- E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined; words in {brackets} are omitted. For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

JM/he
11/02/15

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

City Clerk File No. Ord. 15.156

Agenda No. 3.E 1st Reading

Agenda No. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.156

TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VIII (PERMIT PARKING) AND CHAPTER 160 (FEES AND CHARGES) OF THE JERSEY CITY MUNICIPAL CODE

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

- A. The following amendments to Chapter 332 (Vehicles and Traffic) Article VIII (Permit Parking) are hereby adopted:

VEHICLES AND TRAFFIC ARTICLE VIII

Permit Parking in Residential Zones and Municipal Parking Lots

§332-58. Parking Restrictions in Residential Zones.

- A. No person shall park a vehicle in excess of two (2) hours; between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except public holidays, without a valid permit upon any of the streets or parts of streets as described below.

Parking Zones 1 Through 3. No Change.

Parking Zone 4	
Name of Street	Limits
Bay St	From Washington St to Marin Blvd
First St	From Washington St to Marin Blvd
Greene St	From Grand St to Columbus Dr
Hudson St	Entire length
Marin Blvd	From Columbus Dr to Sixth St
Montgomery St	From Exchange Pl to Warren St
Morgan St	From Washington St to Marin Blvd
Provost St	Entire length
Second St	From the Eastern Terminus to Marin Blvd
<u>Steuben St (north side only)</u>	<u>From Marin Blvd to Warren St</u>
Warren St	From York St to Second St
Washington St	From Columbus Dr to First St
Washington St	From Grand St to First St
York St	From Hudson St to Warren St

Parking Zones 5 Through 7. No Change.

- B. No Change.

C. No Change.

D. No Change.

E. Parking permits shall be issued ~~{to}~~ for each motor vehicle[s] only upon application by the following persons:

(1) Residential Parking Permit or New Resident Temporary Parking Permit - A legal resident of the residential permit parking zone who (a) has a motor vehicle registered, in his/her name or proof that a government or corporate vehicle is available for his/her exclusive use and under his/her exclusive control; and (b) ~~{resides in}~~ owns or leases a property ~~{in}~~ for which no off-street parking is available to residents, whether ~~{the off-street parking is provided}~~ free of charge or ~~{is only offered}~~ for a separate fee or rent. Proof of residency (deed or lease) is required.

(2) Non-Residential Parking Permit - A person who owns or leases commercial property and is actively engaged{e} in a business ~~{activity}~~ located within a residential permit parking area or is an employee thereof (current pay stubs ~~{shall}~~ must be submitted for proof of employment). However, no more than one (1) parking permit may be issued for each employee for a motor vehicle registered to or under the control of such a person.

(3) Non-Residential Student Parking Permit - A person who is a current full time student of an educational institution except a college ~~{(proof of current registration required)}~~ that is located in {the} a residential parking permit zone. Proof of full-time student registration is required.

(4) Temporary Parking Permits:

Temporary Work Permit (90 day) – Issued to temporary residents who reside within a zone for up to 90 days on work assignments. Proof of current employment and temporary residence is required. One 90-day extension is permitted for a maximum of 6 months.

Temporary Residential Permit (14 day) – Issued to new residents who are awaiting receipt of a driver's license and registration at their Jersey City address. Proof of residency (deed or lease) and proof of request for a change of address to New Jersey Motor Vehicle Commission is required.

Home Healthcare Permit (90 day) – Issued to visiting nurses, home health aides, family members during the hours they are in fact providing health services to a resident of the zone.

(5) Contractor Parking Permit.

(i) Six (6) Months – Issued to contractors for the days and hours they are actually performing extensive construction on existing residential structures or new construction of a 1 or 2 family residential home (not high-rise units).

(ii) Daily Permit – Issued to contractors during per diem repair work on a residential home(s), i.e., plumbing work/electrical work that will require them to be parked in the zone for the day.

(6) Visitors Parking Permit.

Daily – Issued to a person visiting a residence within a zone who will be parked in excess of the permitted hours. Only homeowners can purchase visitor parking permits and only up to five (5) permits per month.

(7) Transfer Permit – Issued to residents who have changed their temporary information to permanent, or who move from one zone to another. Maximum period of 14 days.

F. Subsection (E)(1)(b) shall not apply to any resident, (a) who is 65 years of age or older, or (b) who held a permit before the effective date of the ordinance imposing the (E)(1)(b) restriction; (c) of property that is deed restricted to occupancy by low or moderate income persons within the meaning of the New Jersey Fair Housing Act, N.J.S.A. 55:27D-301 et seq.; or (d) who resides in a property classified as R-2 under the City's land use regulations.

- G. To assure that both prospective residential tenants and purchasers of property, including condominiums, are aware of the residential parking permit conditions imposed hereunder, every landlord and every seller shall, on or before the date a lease is executed or a deed is conveyed, provide the prospective tenant or buyer with a copy of Section 332-58.
- H. Proof required to establish ~~{off}~~ residency, ownership, employment, ~~{or}~~ full-time student status or any other permit term or condition shall be ~~{demonstrated in a manner determined by the CEO}~~ within the sound discretion of the Director.
- ~~{I. Proof of motor vehicle ownership or vehicle use and control shall be demonstrated in a manner determined by the CEO.}~~
- ~~{J. Temporary residential parking permits may be issued for vehicles which are owned, rented or under the operational control of any person who owns, leases property or attends school in the residential permit zone or used in providing services to persons or property in the residential permit zone. Temporary residential parking permits may also be issued to vehicles owned by temporary visitors who are residing in the residential permit parking zones. Such temporary residential parking permits shall have all of the rights and privileges of a regular permit. A temporary parking permit shall be valid for no more than ninety (90) days from the date of issuance. No resident of a residential permit parking zone shall be issued more than two (2) temporary parking permits at any one (1) time. A temporary residential parking permit issued to a vehicle providing services or to a vehicle owned by temporary visitors shall be considered to be a temporary permit issued to the resident of the property where the services are provided or the temporary visitors are residing.}~~
- ~~{K.}~~ The Parking Division shall maintain a current record of all properties with 30 or more dwelling units which make off-street parking available to residents whether as part of the rental or service charge or for an optional fee. The Tax Assessor and all departments of the City which maintain relevant records shall cooperate ~~{with the Parking Authority}~~ to assure that the record of available off-street parking maintained by the Parking Division remains current.
- ~~{L.}~~ Any person who obtains a parking permit in violation of Section 332-58 shall, in addition to cancellation of the permit, be liable for the penalties prescribed by Section 1-25.
- ~~{M.}~~ Any owner, landlord or seller of real property who fails to comply with Section 332-58G shall be liable for the penalties prescribed by Section 1-25.
- ~~{N.}~~ No permit shall be issued to any person who has failed to pay any City of Jersey City municipal parking fines until such fines, including any penalties thereon, are paid in full, ~~{under arrangement with the city or Parking Authority, to be paid in full or stayed or overturned by a court of competent jurisdiction.}~~

§332-58.1. Through §332-67. No Change.

- B. The following amendments to Chapter 160 (Fees and Charges) are hereby adopted:

FEES AND CHARGES

§160-1. Fee Schedule Established.

Fees shall be as follows:

A. Through RR. No Change.

SS. Chapter 332, vehicles and traffic.

(1) Through (9) No Change.

(10) On Street Parking permit fees. Beginning on July 1, 2015, the following fees shall apply:

- a. Residential Parking Permit or New Resident Temporary ~~{Residential}~~ Parking Permit: fifteen dollars (\$15.00) per year for each vehicle registered to a resident of the zone;
- b. Non-Residential Parking Permit: three hundred dollars (\$300.00) per year;

- c. Temporary Resident Parking Permit (90 day): one hundred twenty-five dollars (\$125.00) ~~for a residency of not more than 90 days;~~
Temporary Work Permit (90 day): one hundred twenty-five dollars (\$125.00) and not more than 90 days;
Temporary Residential Permit (14 day): fifteen dollars (\$15.00);
Home Healthcare Permit (90 day): fifty dollars (\$50.00);
- e. Contractor Parking Permit (1 and 2 family residences);
 - (i) Six (6) Month Permit: one hundred twenty-five dollars (\$125.00); and
 - (ii) Daily Permit: fifteen dollars (\$15.00) a day;
- f. Visitors Parking Permit;
Daily: five dollars (\$5) for each permit for up to five (5) permits.
- g. ~~[Visitor Parking Permits: purchased by zone resident for up to five days: five dollars (\$5) a day]~~ Transfer Permit: fifteen dollars (\$15);
- h. ~~[Permit Transfer Fee: one dollar (\$1) permit transfer fee for one who is moving from one residential permit parking zone to another residential permit parking zone, provided the new permit expires at the same time as a permit for the former area would have expired]~~ Senior citizen residents; or deed restricted low/moderate income residents; or R-2 residents; zero dollars \$0.

TT. Through UU. No Change.

- C. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- D. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- E. This ordinance shall take effect at the time and in the manner as provided by law.
- F. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined; words in ~~{brackets}~~ are omitted. For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

JM/he
11/02/15

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any ordinance that is submitted for Council Consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Full Title of Ordinance

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VII (METERED PARKING) OF THE JERSEY CITY MUNICIPAL CODE

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VIII (PERMIT PARKING) AND CHAPTER 160 (FEES AND CHARGES) OF THE JERSEY CITY MUNICIPAL CODE

Initiator

Department/Division	Public Safety / Law	Div. of Parking Enforcement / Law
Name/Title	Mary Paretti / Joanne Monahan	Director / Asst. Corporation Counsel
Phone/email	201-653-6969 / 201-547-4230	MParetti@NJJCPS.ORG / joanne@jcnj.org

Note: Initiator must be available by phone during the agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Purpose

The purpose of these ordinances is:

- 1) to codify the metered parking in the City's off-street parking lots;
- 2) to allow the Municipal Council to adopt a resolution waiving meter fees for a public purpose;
- 3) add Steuben Street (north side) to Residential Parking Permit Zone 4; and
- 4) codify and clarify the types of permits issued by and fees charged by the Parking Division.

Items 1, 3 and 4 are required to be enacted by Municipal Council as the result of the Parking Authority being dissolved.

I certify that all the facts presented herein are accurate

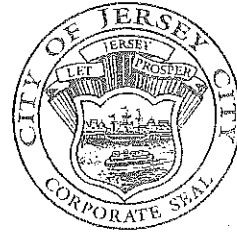
Signature of Department Director

Date

City Clerk File No. Ord. 15.157

Agenda No. 3.F 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.157

TITLE:

AN FRANCHISE ORDINANCE GRANTING PERMISSION TO TAL RAICHLIN SHUSTER, ITS SUCCESSORS AND/OR ASSIGNS, TO MAKE PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY OF 81-83 SUSSEX STREET, JERSEY CITY, NEW JERSEY ALSO KNOWN ON THE TAX MAP OF THE CITY OF JERSEY CITY AS BLOCK 14402, LOTS 2.

WHEREAS, Tal Raichlin Shuster, having offices located 81-83 Sussex Street, Jersey City, New Jersey 07302, is the owner of the property located at 81-83 Sussex Street, and known as Block 14402, Lot 2 on the current tax map of the City of Jersey City ("Property"); and

WHEREAS, Tal Raichlin Shuster is referred to as the Petitioner; and

WHEREAS, pursuant to a Certificate of Appropriateness Case #H14-447, the Jersey City Historic Preservation Commission granted approval to develop the Property with a new one story addition, changes in window and door openings at the east façade, excavation and underpinning of the basement and the interior rehabilitation of the existing building at the Property. Also, the work is contingent upon the granting of a franchise by the City Council for installation of ironwork at the front areaway. The work to be done in the public right of way, is the installation of an iron fence and flower bed which will front the building along 81-83 Sussex Street, Jersey City (see attached Certificate of Appropriateness **Exhibit "A"**); and

WHEREAS, the development of the Property is currently under construction; and

WHEREAS, part of the development approval granted includes the right to add an iron fence and flower bed in the public right of way fronting the building at 81-83 Sussex Street (see Proposed Franchise Area Plan prepared by Robert Finger, RA, NJ 19339 of Fogarty Finger and attached hereto as **Exhibit "B"**); and

WHEREAS, the franchise area directly adjacent to the Property shall consist of 213 square feet (.0049 acres) and shall be identified as the 81-83 Franchise Area (see metes and bounds description **Exhibit "C"** and Proposed Franchise Area Plan **Exhibit "C"** both prepared by James D. Sens, PLS, NJ Professional Land Surveyor, License #24GS04322600 and dated April 26, 2013 and attached hereto; and

WHEREAS, the Petitioner, shall be constructing any and all improvements necessary for the iron fence and flower bed in the public right of way, fronting the building at 81-83 Sussex Street; and

WHEREAS, the construction of the iron fence and flower bed in the public right of way will not interfere with pedestrian traffic on the right-of-way; and

WHEREAS, the proposed iron fence and flower bed in the public right of way, will enhance the Paulus Hook Historic District, and the surrounding area and neighborhood; and

WHEREAS, the construction of private improvements to the Property will aesthetically enhance the Property and the Paulus Hook Historic District; and

WHEREAS, the Petitioner has provided a proposed Franchise Area Plan (Exhibit A); a metes and bounds description of the areas (Exhibits B); and a rendering of the proposed improvements to the Property (Exhibit C); and

WHEREAS, the Petitioner is required to file the Petition for a Franchise Ordinance to place these improvements; and

WHEREAS, there will remain sufficient area in the rights-of-way for pedestrian use, and the proposed private improvements will not impede or have a negative impact on typical pedestrian use; and

WHEREAS, Petitioner has filed a petition for relief and represented to the Municipal Council of the City of Jersey City that the passage of this Ordinance is in the best interests and essential for the completion of the construction of the development; and

WHEREAS, Tal Raichlin Shuster, has filed a petition for relief and represented to the Municipal Council of the City of Jersey City that the passage of this Ordinance is in the best interests of the development and the general welfare; and

WHEREAS, after due notice was given in accordance with law, a public hearing was held on the Petition filed by Tal Raichlin Shuster to grant permission to construct private improvements within the public right-of-way for the following purposes:

1. The contemplated improvements will include the construction of an iron fence and flower bed in the public right of way, fronting the building at 81-83 Sussex Street; and
2. All costs and maintenance associated with these improvements will be incurred by the Petitioner, and there being no objections thereto; and

WHEREAS, the Jersey City Zoning Officer and Building Department can approve the construction of these improvements at the Properties conditioned upon the Petitioner being granted a franchise ordinance by the City Council of the City of Jersey City; and

WHEREAS, a franchise ordinance is required to permit the construction of the private improvements within the public right-of-way; and

WHEREAS, by reason of the character of the development of the area within this Property is situated, the said improvements will enhance public purposes, and the aesthetic and character of the property and greatly benefit Jersey City and the surrounding neighborhood; and

WHEREAS, the public interest will be served by said improvements, which will be of great benefit to the citizens of Jersey City and Hudson County and the rights of the public will not be injuriously or adversely affected by the requested relief;

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the City of Jersey City, that:

SECTION I. Permission be, and is hereby granted to Tal Raichlin Shuster, his successors and/or assigns, to construct and maintain private improvements to a portion of lands located within the Sussex Street public right-of-way adjacent to 81-83 Sussex Street, Jersey City, New Jersey and known as Block 14402, Lots 2, on the current tax map of the City of Jersey City, said areas being more particularly described on the Franchise Area Plan and the metes and bounds descriptions attached hereto as **Exhibit "A"** and **Exhibit "B"** respectively.

1. The contemplated improvements will include the construction of an iron fence and flower bed in the public right of way, fronting the building at 81-83 Sussex Street.
2. The contemplated improvements will be consistent in design as shown in **Exhibit "B"**.
3. There will remain sufficient area in the right-of-way for pedestrian use.
4. The contemplated improvements will be constructed consistent with the development plans approved by the Jersey City Zoning Officer and Building Department.
5. All costs and maintenance associated with these improvements will be incurred by the Petitioner.
6. The contemplated improvements will greatly benefit the Paulus Hook Historic District area, the Petitioner' Property, and the surrounding area and neighborhood.

SECTION II. All the work herein authorized shall be done under the supervision of the proper department or departments of the City of Jersey City. Further, all the work herein authorized shall comply with any State of New Jersey Uniform Construction Code requirements. The construction plans shall be submitted to the City Engineer for his review and comments prior to the start of construction. After construction there shall remain no damage to the sidewalk or roadway or interference with the free and safe flow of pedestrian traffic. Tal Raichlin Shuster, and its successors and/or assigns, shall maintain all improvements installed by it for the entire term of this Franchise at no cost to the City.

SECTION III. This Ordinance shall remain in full force and effect for a period of ninety-nine (99) years. This Ordinance shall take effect upon final passage and publication according to law. In the event that the Municipal Council determines that this Ordinance must be canceled in whole or in part because of a public purpose, the City reserves the right to cancel this Ordinance or any part thereof by giving written notice to the Petitioner one year prior to the date of cancellation.

SECTION IV. All costs and expenses incident to the introduction, passage and publication of this Ordinance shall be borne and paid by said Tal Raichlin Shuster.

SECTION V. In accepting the privileges of this Ordinance and the installation, maintenance and use hereby authorized, Tal Raichlin Shuster, its successors and/or assigns, hereby agrees to assume full, complete and undivided responsibility for any and all injury or damage to persons or property by reason of said installation, maintenance and use, and to indemnify and hold the City of Jersey City harmless from all injury or damage to persons or property by reason of such installation, maintenance and use (except such injury or damage which is caused by the negligence or misconduct of the City or its officers, employees or agents) for the term of this Ordinance. Tal Raichlin Shuster, its successors and assigns, shall maintain in effect, during the term of this franchise, liability insurance naming the City of Jersey City, its officers and employees as additional insured, covering the use and occupancy of the public property subject to this franchise. A Certificate of Insurance, in the amount of \$2,000,000.00 or in such amount and type as the City's Risk Manager may deem reasonable shall be delivered to the Risk Manager before use or occupancy of the premises subject to this Franchise Ordinance. Insurance limits shall be reviewed annually by the City's Risk Manager to determine if they need to be increased.

SECTION VI. This Ordinance shall not become effective unless an acceptance hereof in writing is filed by the Petitioner with the City Clerk. In the event that the Petitioner shall not file with the City Clerk its acceptance in writing of the provisions of this Ordinance within 30 days after receiving notice of its passage, this Ordinance shall become void and be of no effect.

SECTION VII. Only with prior written consent and approval by the City Council of the City of Jersey City, which consent and approval shall not be unreasonably withheld, shall Petitioner have the right to assign or otherwise transfer its rights under this Franchise Ordinance.

SECTION VIII. An easement for the duration of this Ordinance is reserved for the benefit of the City of Jersey City and all public utility companies including any cable television company as defined in the Cable Television Act, P.L. 1972, c. 186 (c. 48:5A-1 et seq.) for the purpose of ingress and egress over and upon the area subject to this Franchise Ordinance in order to maintain, repair or replace existing utility facilities including water lines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this Franchise Ordinance.

SECTION IX. For the rights and privileges herein granted, said beneficiaries hereunder, their successors and assigns, shall pay annually to the City of Jersey City the sum of One Dollar (\$1.00), which payment shall be made annually on the 1st day of _____ next succeeding the time when this Ordinance shall become effective and on each first day of _____ thereafter until the termination of this Ordinance.

SECTION X. A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

B. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance certified and incorporated in the official copies of the Jersey City Code.

C. This Ordinance shall take effect at the time and in the manner as provided by law.

D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repeals of existing provisions.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

PETITION

TO: THE HONORABLE, THE MAYOR AND MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY:

Your Petitioner, Eyal Shuster and Tal Raichlin Shuster (collectively "Petitioner"), having an office at 81-83 Sussex Street, Jersey City, New Jersey 07302, respectfully says that:

1. Tal Raichlin Shuster, is the owner of the property located at 81 Sussex Street, Jersey City, New Jersey and known as Block 14402, Lot 2, on the current tax maps of the City of Jersey City (the "Property"). The Petitioner has been approved by the Jersey City Historic Preservation Commission pursuant to Case H14-447, which was approved on June 15, 2015, and memorialized by resolution to develop the existing property with the installation of an iron fence in the public right of way, fronting the building at 81-83 Sussex Street, in addition to other improvements. The Property is located within the Paulus Hook Historic District.

2. The Jersey City Historic Preservation Commission granted approvals by way of Certificate of Appropriateness for the Property pursuant to Case No. H14-447. The Petitioner is proposing to construct an iron metal fence and flower bed in a public right of way.

3. Petitioner proposes to make the following site improvements within the areas of the public rights-of-way:

A. The contemplated improvements will include but not be limited to the installation of an iron fence and flower bed in the public right of way fronting the building at 81-83 Sussex Street.

B. All costs associated with these improvements will be incurred by the Petitioner.

4. The contemplated improvements would enhance the petitioner's property, and will greatly benefit the Paulus Hook Historic District area, Petitioner's property, and the surrounding area and neighborhood.

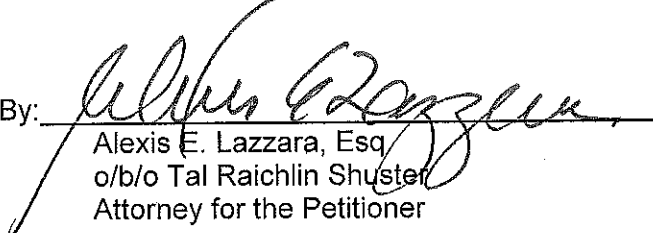
5. The Petitioner presented the proposed improvements to the Jersey City Zoning

Officer and Building Department, which can approve proposed improvements conditions upon the Petitioner being granted a franchise ordinance by the City of Jersey City.

6. The contemplated improvements are necessary to construct the proposed development consistent with the development approvals, and will greatly benefit the Petitioner's property and the surrounding area and neighborhood.

WHEREFORE, your Petitioner respectfully petitions for itself, its successors and assigns, for the enactment of a Franchise Ordinance to allow it to make private improvements within the public right-of-way of Sussex Street adjacent to 81 Sussex Street, all as more particularly shown on the plans annexed hereto and made a part hereof.

By: _____


Alexis E. Lazzara, Esq.
o/b/o Tal Raichlin Shuster
Attorney for the Petitioner



**JERSEY CITY HISTORIC PRESERVATION COMMISSION
CERTIFICATE OF APPROPRIATENESS**

81-83 Sussex Street H14-447

**Construction of a Rooftop Addition (Visible from the P.R.O.W.),
Changes of Window and Door Openings at the East Façade,
Installation of Ironwork at the Front Areaway (Pending Franchise),
& Interior Rehabilitation**

Applicant:
Eyal Shuster
81-83 Sussex Street
Jersey City, NJ 07302

Owner:
Eyal Shuster
81-83 Sussex Street
Jersey City, NJ 07302

A Certificate of Appropriateness is granted for exterior construction of a new, one story addition, changes in window and door openings at the east façade, installation of ironwork at the front areaway, contingent on the granting of a franchise by the City Council, the excavation and underpinning of the basement, and the interior rehabilitation of the existing building at 81-83 Sussex Street, Block 14402 Lot 2: an altered, contributing, *circa* 1890 Frame, Neo-Grec Variant Machinist's Shop in the Paulus Hook Historic District.

By issuing this Certificate of Appropriateness, the Jersey City Historic Preservation Commission notes that the proposed addition, although minimally visible from the public right of way, is congruent with historic additions which have developed within historic districts and neighborhoods over time and that the size, form, materials and bulk of the addition should not have an adverse effect on the building or the surrounding historic district. Furthermore, the HPC notes that there shall be minimal damage to historic fabric and that improvements to the front elevation include the restoration of the painted historic lettering. The HPC further notes that although constructed in a modern idiom the visual effect of the constructed addition will not have an adverse effect on the resource or the surrounding districts. This Certificate of Appropriateness, with the following conditions, is granted provided that:

1. The rooftop addition is not to be visible from the public right of way directly across Sussex Street or to the west.
2. The motorized car lift is not to be visible from the public right of way when the gate is closed. Gates are to be constructed, installed and maintained or staff will not sign off on a Certificate of Occupancy.
3. The signage, which was overpainted without approvals, is to be reinstated before the issuance of a Certificate of Occupancy.
4. The front railings are to have extraneous ornament removed. It is stressed that this is simply a utilitarian fence installed along the existing fence line to provide for the safety of children and to keep people from harassing the residents. The owner is to apply for and receive a franchise from the city for this area before applying for a Certificate of Occupancy.

Continued Over

5. The architect, Chris Fogarty, shall be retained during construction and shall submit as-built signed and sealed drawings to staff, or a signed and sealed letter representing and noting that site construction was consistent with work approved under this Certificate of Appropriateness before the issuance of a Certificate of Occupancy. All specifications on the drawings are to be followed as presented and approved.
6. Details, Specifications, and Material Submissions not currently submitted to and approved by the HPC under this Certificate of Appropriateness, or changed during the course of construction are remanded back to the HPC.
7. Construction drawings, noting materials and finishes, cross referenced with the material sample board, are to be reviewed by, approved by and signed by the Historic Preservation Officer for compliance with the issued Certificate of Appropriateness before construction permits are applied for and issued.
8. Upon final approval of this Certificate by the HPC, any deviations from the granted approval must be approved by the HPC, except in cases of emergency affecting the public safety, health and welfare. Deviations from this approval without authorization by the HPC and issued as an amendment to this Certificate of Appropriateness may cause the denial of a Certificate of Occupancy and result in a violation to be issued by the Division of Zoning.

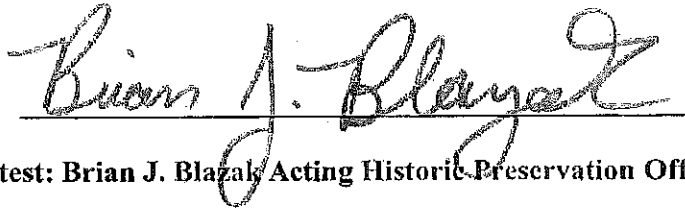
This Certificate of Appropriateness is issued on the basis of the building and site conditions described in the application and disclosed during the review process. By accepting this Certificate of Appropriateness, the applicant agrees to notify the Commission if the actual building or site conditions vary or if original or historic building fabric is discovered. The Commission reserves the right to amend or revoke this permit, upon written notice to the applicant, in the event that the actual building or site conditions are materially different from those described in the application or disclosed during the review process.

**JERSEY CITY HISTORIC PRESERVATION COMMISSION
CERTIFICATE OF APPROPRIATENESS
81-83 Sussex Street H14-447**

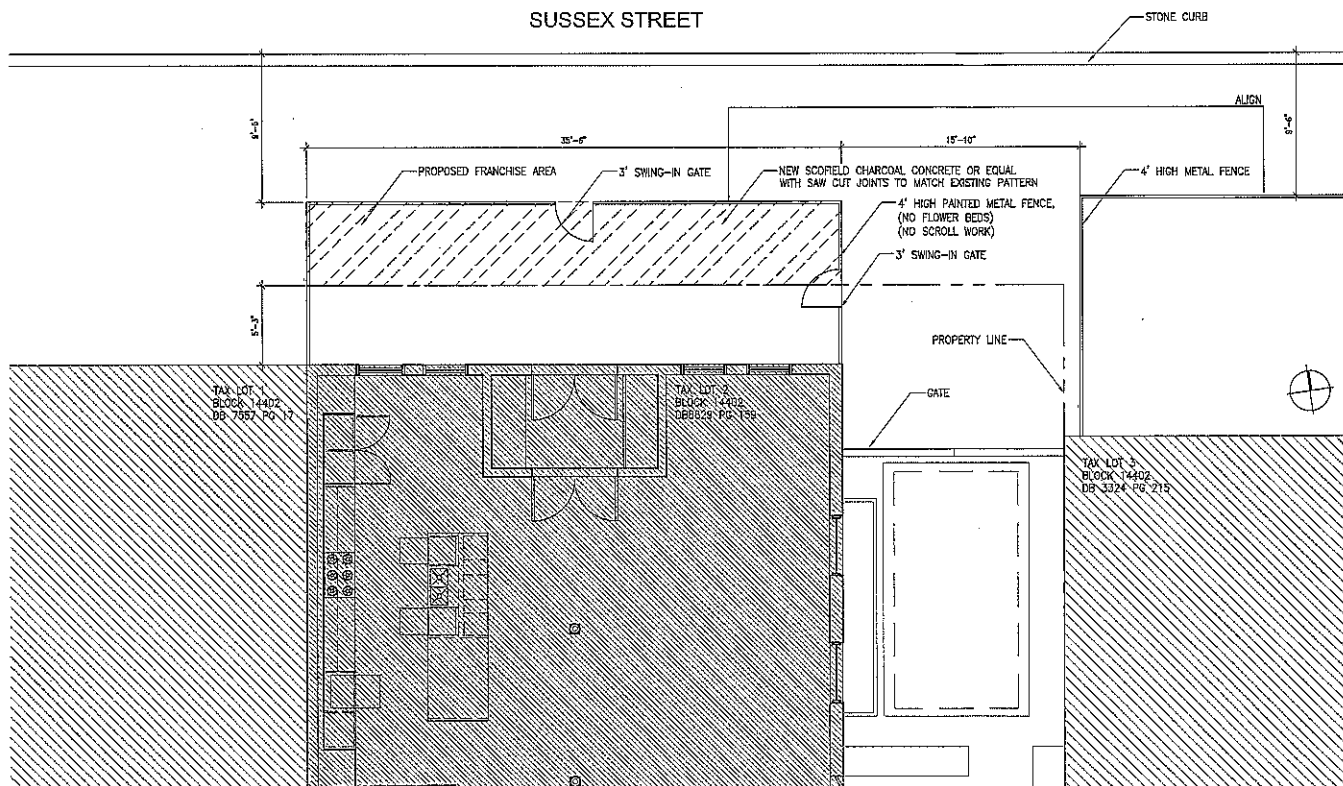
This Certificate Shall be Posted During Construction

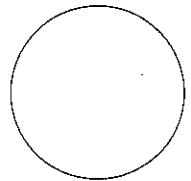
Certificate of Appropriateness Number H14-447 Approved 7-0-0 Granted 6/15/2015 Expires 6/15/2016

Erin Burns-Maine, Chair Anthony Sandkamp, Commissioner



Attest: Brian J. Blazak Acting Historic Preservation Officer





Robert Finger, RA NJ19339

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81 SUSSEX STREET
BLOCK 14402 LOT NO. 2
FORMERLY BLOCK 67 LOT NO. 45 & 47
CITY OF JERSEY CITY
HUDSON COUNTY, NEW JERSEY



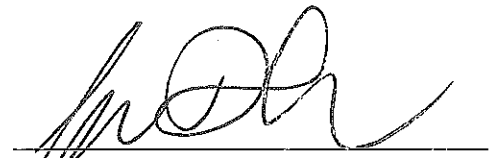
Description of a proposed Franchise Area across a portion of Sussex Street being adjacent to Tax Lot 2 Block 14402 in the City of Jersey City, Hudson County, New Jersey.

BEGINNING at a point in the southwesterly sideline of Sussex Street (60.00 feet wide right of way) where same is intersected by the northwesterly line of Tax Lot 2 Block 14402, said point being 100.00 feet along said southwesterly sideline from its intersection with the southeasterly sideline of Washington Street (80.00 feet wide right of way); and runs thence

1. North 40 degrees 10 minutes 00 seconds East 6.00 feet to a point in the right of way of Sussex Street; thence
2. By a line parallel to the southwesterly sideline of Sussex Street, South 49 degrees 50 minutes 00 seconds East 35.50 feet to a point in the right of way of Sussex Street; thence
3. South 40 degrees 10 minutes 00 seconds West 6.00 feet to a point in said southwesterly sideline of Sussex Street; thence
4. Along said southwesterly sideline, North 49 degrees 50 minutes 00 seconds West 35.50 feet to the point and place of **BEGINNING**.

Containing 213 square feet/0.0049 acres of land.

This description is prepared in accordance with a map entitled "Proposed Franchise Area Plan, 81 Sussex Street, Lot 2 Block 14402 City of Jersey City, Hudson County, New Jersey" dated April 26, 2013 prepared by CityScape Engineering & Surveying, James D. Sens, PLS.

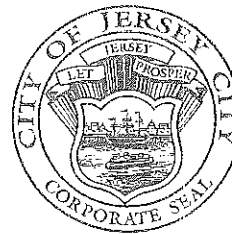


James D. Sens, PLS.
NJ Professional Land Surveyor
License #24GS04322600
April 26, 2013

City Clerk File No. Ord. 15.158

Agenda No. 3 - G 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.158

TITLE:

**AN ORDINANCE AUTHORIZING THE CITY TO EXTEND A LEASE
WITH THE JERSEY CITY REDEVELOPMENT AGENCY FOR OFFICE
SPACE AT THE HUB SHOPPING CENTER LOCATED AT 380-382
MARTIN LUTHER KING DRIVE.**

WHEREAS, the City of Jersey City (the "City") has a need for space for the use
of governmental offices; and

WHEREAS, N.J.S.A. 40A:12-5 provides that a municipality may by Ordinance
authorize a lease of real property if it determines it is needed for municipal
purposes; and

WHEREAS, the Jersey City Redevelopment Agency ("JCRA"), is the owner of
property located at 380-382 Martin Luther King Drive; and

WHEREAS, the City will lease certain space within the Martin Luther King Hub
Plaza consisting of approximately 1,965 square feet and located at 380-382 Martin
Luther King Drive (the "property"), to be used for the Division of Commerce
("Commerce"), and

WHEREAS, the City has agreed to extend the lease from January 1, 2016 to
December 31, 2017 with a one year option to renew; and

WHEREAS, the payment of rent shall be at a rate of \$13.33 per sq. ft. for a total
of \$26,193.48 per year or \$2,182.79 per month; and

WHEREAS, there are additional common charges of approximately \$7,000.00
per year; and

WHEREAS, the City shall have the right to terminate the Lease Agreement at
any time without cause; and

WHEREAS, JCRA agrees to execute the Lease Agreement attached hereto; and

WHEREAS, funds will be made available in the 2016 temporary, permanent and
future Calendar Year Budgets in account # 01-201-31-432-304.

NOW THEREFORE BE IT ORDAINED by the Municipal Council of the City that:

1. The Mayor or Business Administrator is authorized to execute the attached Lease Agreement with the Jersey City Redevelopment Agency subject to such modification as may be deemed necessary or appropriate by Corporation Counsel.
2. The term of the Lease Agreement is from January 1, 2016 to December 31, 2017 with a one year option to renew at a rate of \$13.33 per sq. ft. for a total annual cost not to exceed \$33,189.00 payable in monthly installments of \$2,182.79 for rent plus \$583.00 for common charges.
3. The City shall have the right at its convenience to terminate the Lease Agreement at any time without cause.

APPROVED AS TO LEGAL FORM

APPROVED: Ann Marie Miller, Real Estate Manager

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

AN ORDINANCE AUTHORIZING THE CITY TO EXTEND A LEASE WITH THE JERSEY CITY REDEVELOPMENT AGENCY FOR OFFICE SPACE AT THE HUB SHOPPING CENTER LOCATED AT 380-382 MARTIN LUTHER KING DRIVE

Initiator

Department/Division	Administration	Real Estate
Name /Title	Ann Marie Miller	Real Estate Manager
Phone/E-Mail	(201) 547-5234	annmarie@jcnj.org

Note initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

To extend the lease for the Division of Commerce located at 380-382 Martin Luther King Drive from January 1, 2016 to December 31, 2017 with a one year option to renew. The rent will remain the same at a rate of \$13.33 per sq. ft. for a total of \$26,193.48 per year or \$2,182.79 per month.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

LEASE AGREEMENT

THIS LEASE AGREEMENT made this _____ day of _____, 201
between the **JERSEY CITY REDEVELOPMENT AGENCY** located at 66 York Street, Jersey
City, New Jersey 07302 and the **CITY OF JERSEY CITY (City)**, having it's principal place of
business at City Hall, 280 Grove Street, Jersey City, New Jersey 07302.

ONE **Premises**

The City requires office space for the Division of Commerce ("Commerce") and the Jersey City
Redevelopment Agency agrees to rent 1,965 sq. ft. of office space at 380-382 Martin Luther King
Drive, Jersey City, New Jersey.

TWO **Term**

Effective as of January 1, 2016 through December 31, 2017 with a one year option to renew. The
City shall have the right to terminate at any time without cause.

THREE **Use**

The City is currently using and may continue to use and occupy 1,965 sq. ft. of office space
located at 380-382 Martin Luther King Drive, Jersey City, New Jersey for the Division of
Commerce ("Commerce").

FOUR **Payment of Rent**

The City covenants and agrees to pay the Jersey City Redevelopment Agency rent for and during
the Tenancy, 1,965 sq. ft. @ \$33.33 pwer sq. ft. or the sum of Two Thousand One Hundred Eighty
Two Dollars and Seventy Nine Cents (\$2,182.79) per month or Twenty Six Thousand One
Hundred Ninety Three Dollars Forty Eight Cents (\$26,193.48) per year. The City will also pay
Common Charges in the amount of approximately Seven Thousand Dollars (\$7,000.00) per year or
Five Hundred Eighty Three (\$583.00) per month.

FIVE
Maintenance and Repairs

Landlord shall take good care of the Property and shall, at its own cost and expense, make all repairs and maintain the Property, including the heating system, water service, roof and common areas, in good condition and state of repair during the Term. The Landlord shall be responsible for keeping the Property and all parts thereof in a clean and sanitary condition and free from trash, inflammable material, and other objectionable matter, and shall keep the sidewalks and parking areas in front of the Property free of ice, snow and debris. During the Term, the City shall maintain the Property subject to this License Agreement in good condition, wear and tear for a reasonable use thereof and damage by the elements not resulting from the neglect or fault of the City excepted.

SIX
Damage

In case of the destruction of or any damage of any kind whatsoever to the Property, caused by the carelessness, negligence, or improper conduct on the part of the Landlord or its agents, employees, guests, licensees, invitees, assignees or successors or other tenants at the Martin Luther King Hub Plaza, the Landlord shall repair the damage or restore any destroyed parts of the property, as speedily as possible, at the Landlord's sole cost and expense.

SEVEN
Signs

The Landlord shall provide a suitable place for a sign, indicating the location of the City's offices. The City shall place such signs in or about the property or any part thereof, including the design and structure thereof as the City deems appropriate or necessary.

EIGHT
Utilities

The Landlord will have a separate PSE&G meter for property and the bill will be paid directly by the City to PSE&G.

NINE
Compliance

The Landlord shall promptly comply with all the laws, ordinances, rules, regulations, requirements and directives of the Federal, State and Municipal Governments or other public authorities and of all of their departments, bureaus, divisions and subdivisions, applicable to and

affecting the property and its use and occupancy for the correction, prevention and abatement of nuisances, violations or other grievances in, upon or connected with the Property, during the Term and shall promptly comply with all orders, regulations, requirements and directives of the Board of Fire Underwriters or similar authority and of any insurance companies with policies affecting the Property and its use, contents or events occurring thereat, for the prevention of fire or other casualty, damage or injury, at the Landlord's own cost and expense.

TEN
Indemnification

The City agrees to and shall save, hold and keep harmless the Landlord from and for any and all payments, expenses, costs, attorneys' fees and from and for all claims and liability for losses or damages to the Property or injuries to persons occasioned wholly or in part by or resulting from any errors, omissions or negligent acts by the City or the City's agents employees, guests, licensees, invitees, subtenants, assignees or successors arising out of the occupancy by the City and the conduct of the City's business.

ELEVEN
Assignment of Sub-Lease

The City shall not, without prior written consent of the Jersey City Redevelopment Agency, assign mortgagor hypothecate this Lease, or sublet or sublease the premises or any part hereof.

TWELVE
Restriction of Use

The City shall not occupy or use the Property or any part thereof, nor permit or suffer the same to be occupied or used for any purpose other than as herein limited, nor for any purpose deemed unlawful, disreputable or extra hazardous, on account of fire or any other casualty.

THIRTEEN
Inspection and Repair

The City agrees that the Landlord and the Landlord's agents, employees, or other representatives, shall have the right to enter into and upon the Property or any part thereof, at all reasonable hours, for the purposes of examination the same or making such repairs or alterations therein as may be necessary for the safety and preservation thereof. This clause shall not be deemed to be a covenant by the City nor be construed to create an obligation on the part of the City to make such inspection or repairs.

FOURTEEN
Termination

The City shall have the right at it's convenience to terminate the License Agreement at any time

FIFTEEN

Validity of License Agreement

The terms, conditions, covenants and provisions of this License Agreement shall be deemed to be severable. If any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, it shall not affect the validity or any other clause or provision herein, but such other clauses or provisions shall remain in full force and effect.

SIXTEEN

Notices

All notices and demand, incidental to this License Agreement, or the occupation of the Property, shall be in writing. If the City desires to serve any notice or demand it shall be sufficient to send a copy by certified mail, return receipt requested, or delivered to:

Jersey City Redevelopment Agency
66 York Street
Jersey City, New Jersey 07302
Attn:Dave Donnelly

Notices from the Jersey City Redevelopment Agency shall be sent by certified mail, return receipt requested, or delivered to:

City of Jersey City
Office of Real Estate
365 Summit Avenue #239
Jersey City, New Jersey 07306

A copy of any notice to the City should also be addressed to the attention of the Jersey City Business Administrator.

SEVENTEEN

Entire Contract

This Lease Agreement contains the entire contract between the parties. No representative, agent or employee of the Jersey City Redevelopment Agency has been authorized to make any representations or promises with reference to the within letting or to vary, alter or modify the terms hereof. No additions changes or modifications, renewals or extensions hereof, shall be binding unless reduced to writing and signed by the Jersey City Redevelopment Agency and the City.

EIGHTEEN

This Lease Agreement may not be filed by the City without prior written consent of the Jersey City Redevelopment Agency.

The Jersey City Redevelopment Agency may pursue the relief or remedy sought in any invalid clause, by conforming the said clause with the provisions of the status or the regulations of any governmental agency in such case made and provided as if the particular provisions of the applicable statutes or regulations were set forth herein at length.

In all references herein to any parties, persons, entities or corporation the use of any particular gender or the singular number is intended to include the appropriate gender or number as the text of the within instrument may require. All the terms, covenants and conditions herein contained shall be for and shall inure to the benefit of and shall bind the respective parties hereto, and their heirs, executors, administrators, personal or legal representatives, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, or caused these presents to be signed by their proper corporate officers and their proper corporate seal to be hereunto affixed, the day and year first above written.

ATTEST:

CITY OF JERSEY CITY:

ROBERT BYRNE
City Clerk

ROBERT J. KAKOLESKI
Business Administrator

WITNESS:

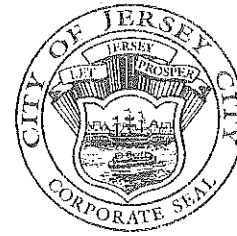
JERSEY CITY REDEVELOPMENT AGENCY:

DAVID DONNELLY
Executive Director J.C.R.A.

City Clerk File No. Ord. 15.159

Agenda No. 3.H 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.159

TITLE:

AN ORDINANCE AMENDING ORDINANCE 15.020 TO AUTHORIZE THE CITY OF JERSEY CITY TO AMEND ITS LEASE/PURCHASE AGREEMENT WITH JERSEY CITY MUNICIPAL, LLC FOR OFFICE SPACE TO BE CONSTRUCTED AT THE MLK HUB ON A PORTION OF LOT 17, BLOCK 21201

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City (City) has a need for office space for the Department of Health and Human Services and the Department of Housing Economic Development and Commerce; and

WHEREAS, by the adoption of Ordinance 15.020 on March 11, 2015, the City approved a Lease/Purchase Agreement with Jersey City Municipal, LLC ("JCM") who intends to obtain a subdivision of Lot 17 to establish a 0.556 acre vacant lot, purchase the vacant lot, and construct a three story office building of approximately 45,000 square feet ("Project") which the City will lease; and

WHEREAS, the term of the lease is twenty-five (25) years and the City has the option to purchase the building for \$1.00 at the end of the lease term; and

WHEREAS, on April 23, 2015, the City executed the Lease/Purchase Agreement with JCM; and

WHEREAS, pursuant to paragraph no. 1 of the Lease/Purchase Agreement, the City's obligation to pay rent begins on the date of substantial completion of the Project or February 1, 2017 whichever occurs first; and

WHEREAS, prior to commencement of the Project it was necessary to obtain a release of a United States Department of Housing and Urban Development (HUD) Section 108 loan that affected the property; and

WHEREAS, due to delays in obtaining the release of the HUD Section 108 loan, it is in the City's best interests to amend the Lease/Purchase Agreement so that the City's obligation to pay rent begins at a later date which would be the date of substantial completion of the Project or September 30, 2017 whichever occurs first;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

1. The following amendment to the Lease/Purchase Agreement dated April 23, 2015 between the City of Jersey City and Jersey City Municipal, LLC is hereby approved:

"Basic Rent Commencement Day" shall mean the earlier of the Date of Substantial Completion and September 30, 2017.

2. Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator shall execute the First Amendment to Lease/Purchase Agreement which is attached hereto.

A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

C. This ordinance shall take effect at the time and in the manner as provided by law.

D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore, underlining has been omitted.

For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

RR
11-2-15

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

**FIRST AMENDMENT TO THE
LEASE/PURCHASE AGREEMENT
BETWEEN JERSEY CITY MUNICIPAL LLC, LANDLORD
AND CITY OF JERSEY CITY, TENANT**

This First Amendment to the Lease/Purchase Agreement (the "First Amendment") is entered into as of the ____ day of _____, 2015 ("Effective Date") by and between Jersey City Municipal, LLC, ("Landlord") and the City of Jersey City, ("Tenant") (also collectively referred to as the "Parties")

WHEREAS, the Parties entered into a Lease/Purchase Agreement dated April 23, 2015, whereby the Landlord would construct and the Tenant would lease certain premises to be utilized as a Municipal Building Annex for the Department of Health and Human Services and the Department of Housing, Economic Development and Commerce; and

WHEREAS, due to issues related to the HUD 108 Loan Release, the proposed construction commencement date has been delayed; and

WHEREAS, pursuant to the terms of the Lease/Purchase Agreement, the "Basic Rent Commencement Date" was defined as "the earlier of the date of substantial completion and February 1, 2017"; and

WHEREAS, because there has been a delay in obtaining a Release of the HUD 108 Loan, which has delayed the construction commencement date, it is desirous for the Parties to accordingly delay the "Basic Rent Commencement Date".

NOW THEREFORE, in consideration of the mutual covenants and agreements contained in this First Amendment and other good and valuable consideration exchanged between the Parties, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

"Basic Rent Commencement Date" as defined in Paragraph 1, entitled "Certain Definitions" section (g) in the Lease/Purchase Agreement dated April 23, 2015 by and between the Parties shall be amended to read:

"Basic Rent Commencement Date" shall mean the earlier of the Date of Substantial Completion and September 30, 2017."

IN WITNESS WHEREOF, the Parties have executed this First Amendment as of the day and year first above written.

JERSEY CITY MUNICIPAL, LLC

By: _____

Name:

Title:

CITY OF JERSEY CITY

By: _____

Name:

Title:

RESOLUTION FACT SHEET - CONTRACT AWARD

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

AN ORDINANCE AMENDING ORDINANCE 15.020 TO AUTHORIZE THE CITY OF JERSEY CITY TO AMEND ITS LEASE/PURCHASE AGREEMENT WITH JERSEY CITY MUNICIPAL, LLC FOR OFFICE SPACE TO BE CONSTRUCTED AT THE MLK HUB ON A PORTION OF LOT 17, BLOCK 21201

Project Manager

Department/Division	Business Administration	
Name/Title	Gregory Corrado, Asst. Business Administrator	Asst. Business Administrator
Phone/email	547-5561	Greg@jcnj.org

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Contract Purpose

By the adoption of Ordinance 15.020 on March 11, 2015, the City approved a Lease/Purchase Agreement with Jersey City Municipal, LLC ("JCM") who intends to construct a three story office building of approximately 45,000 square feet ("Project") which the City will lease with an option to purchase at the end of the lease term. Pursuant to paragraph no. 1 of the Lease/Purchase Agreement, the City's obligation to pay rent would begin on the date of substantial completion of the Project or February 1, 2017 whichever occurs first. Prior to commencement of the Project it was necessary to obtain a release of a HUD Section 108 loan that affected the property. Because of delays in obtaining the release of the HUD Section 108 loan, it is in the City's best interests to amend the Lease/Purchase Agreement so that the City's obligation to pay rent begins at a later date which would be the date of substantial completion of the Project or September 30, 2017 whichever occurs first.

Cost (Identify all sources and amounts)

For years one through five of the lease term shall be \$21.40 per square foot for a monthly basic rent of \$107,000.00 or \$1,284,000.00 annually. Subsequent years' rent shall be as set forth in Exhibit "B" of the Lease Agreement.

Contract term (include all proposed renewals)

25 years with an option to purchase the building at the end of the lease term for \$1.00.

Type of award**If "Other Exception", enter type****Additional Information**

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE **15.160**

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE HENDERSON STREET SOUTH REDEVELOPMENT PLAN TO MODIFY THE DURATION OF THE PLAN.

WHEREAS, the Municipal Council adopted the Henderson Street South Redevelopment Plan in August 1975 to provide for the redevelopment of that area; and

WHEREAS, although the Plan had an original duration of 30 years, the Municipal Council continues to seek the improved vitality of this area through coordination of redevelopment activities to bring about new development appropriate for the location; and

WHEREAS, the municipal council seeks to amend the Henderson Street South Redevelopment Plan to modify the duration of the Plan by removing Section C.2.c- Duration and Effective Date of Controls; and

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-64, has sought and received the recommendations of the Jersey City Planning Board relative to this issue; and

WHEREAS, the Planning Board voted to recommend adoption of this amendment by the Municipal Council at their October 6, 2015 regular meeting;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Henderson Street South Redevelopment Plan, be and is hereby amended as follows (Material indicated by strikethrough like ~~this~~ is existing material that is intended to be deleted. Material indicated by bold italic *like this* is new material that is intended to be enacted):

Amendment to the Henderson Street South Redevelopment Plan, Section C.2.c - Duration and Effective Date of Controls:

~~The land use provisions and building requirements and/or any modification thereof shall remain in effect for a period of thirty (30) years from the date of approval of this Redevelopment Plan by the governing body of the City of Jersey City. The termination of this Plan shall in no way permit the project land or any part thereof to be restricted on the basis of race, creed, color, or national origin in the sale, lease, or occupancy thereof.~~

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

APPROVED AS TO LEGAL FORM

APPROVED: _____

APPROVED: _____

Corporation Counsel

Business Administrator

Certification Required ☐

Not Required ☐

Summary Sheet:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE HENDERSON STREET SOUTH REDEVELOPMENT PLAN TO MODIFY THE DURATION OF THE PLAN.

This ordinance will amend the Henderson Street South Redevelopment Plan by deleting the expiration date of the plan. N.J. Stat. § 40A:12A-1 (2015), otherwise known as the Local Redevelopment and Housing Law makes no provision for expiration dates of redevelopment plans and makes no reference to how redevelopment plans should "expire". Removing the expiration date reference in the Plan will bring the Henderson Street South Plan into better conformity with State law.

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE HENDERSON STREET SOUTH
REDEVELOPMENT PLAN TO MODIFY THE DURATION OF THE PLAN.****Initiator**

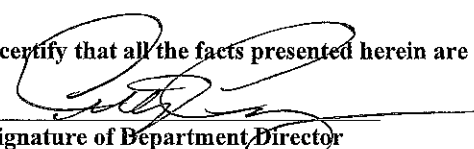
Department/Division	HEDC	City Planning
Name/Title	Robert Cotter, PP, FAICP Jeff Wenger, PP, AICP	Director Principal Planner
Phone/email	201-547-5010	bobbyc@cnj.org or jeff@cnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

This ordinance will amend the Henderson Street South Redevelopment Plan by deleting the expiration date of the plan. N.J. Stat. § 40A:12A-1 (2015), otherwise known as the Local Redevelopment and Housing Law makes no provision for expiration dates of redevelopment plans and makes no reference to how redevelopment plans should "expire". Removing the expiration date reference in the Plan will bring the Henderson Street South Plan into better conformity with State law.

I certify that all the facts presented herein are accurate.

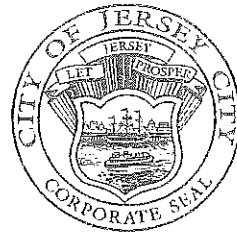

Signature of Department Director

RCotter 11/2/15
Date

City Clerk File No. Ord. 15.161

Agenda No. 3. J 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.161

TITLE: ORDINANCE APPROVING AN AMENDMENT TO THE TAX EXEMPTION FOR LAFAYETTE FAMILY PHASE IV URBAN RENEWAL ASSOCIATES, L.P., TO CHANGE THE ENTITY'S NAME TO GLENVIEW TOWNHOUSES URBAN RENEWAL ASSOCIATES, L.P.

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, Lafayette Family Phase IV Urban Renewal Associates, LP, is an Entity formed and qualified to do business under the provisions of the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq.

WHEREAS, the Entity owns certain property known as Block 2088.1, Lots 4.01 & 4.02 on the City's Official Tax map, and more commonly known by the street address of 20-28 and 40-44 Barbara Place and 515-521 Grand Street, Jersey City, New Jersey [Property]; and

WHEREAS, this affordable housing project is located within a city with numerous redevelopment plans as well as a need for affordable housing and thus is eligible for tax exemption under Cervase v. Kawaida Towers, Inc., 124 NJ Super 547 (Law Div. 1973), Affmd. 129 NJ Super 124 (App. Div. 1974)

WHEREAS, by the adoption of Ordinance 08-106 on August 6, 2008, the Municipal Council of the City of Jersey City approved a 30 year tax exemption for an affordable housing project to be constructed by Lafayette Family Phase IV Urban Renewal Associates, L.P., pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. et seq.; and

WHEREAS, Entity has now filed an application with the State of New Jersey Department of Community Affairs (Department of Community Affairs) to amend their Certificate of Formation to change the Entity's name; and

WHEREAS, on April 9, 2009, the Department of Community Affairs approved the Entity's request and granted an Amended Certificate of Formation to reflect its name of Lafayette Family Phase IV Urban Renewal Associates, LP to Glenview Townhouses Urban Renewal Associates, LP;

WHEREAS, on October 21, 2015, the Entity filed an application with the City to amend the tax exemption and the Financial Agreement to reflect the new name and acknowledge the restructuring of the Entity to include the admission of Glenview Townhouses Urban Renewal Associates, LP as the 100% owner of the Entity; and

WHEREAS, modifications or amendments to the tax exemption financial agreements are authorized pursuant to N.J.S.A. 40A:20-9, subject to the mutual consent of the City and the Entity.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

ORDINANCE APPROVING AN AMENDMENT TO THE TAX EXEMPTION FOR LAFAYETTE FAMILY PHASE IV URBAN RENEWAL ASSOCIATES, L.P., TO CHANGE THE ENTITY'S NAME TO GLENVIEW TOWNHOUSES URBAN RENEWAL ASSOCIATES, L.P.

A. The Application for an amendment by Lafayette Family Phase IV Urban Renewal Associates, LP, an Entity formed and qualified to do business under the provisions of the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. et seq., to amend the tax exemption to change the Entity's name to Glenview Townhouses Urban Renewal Associates, LP, attached hereto, for Block 2088.1, Lots 4.01 & 4.02, and more commonly known by the street address of 20-28 and 40-44 Barbara Place and 515-521 Grand Street, is hereby approved.

B. The Mayor or Business Administrator is hereby authorized to execute an amendment to the August 6, 2008 Financial Agreement.

C. The application for an amendment to the tax exemption is attached hereto.

D. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

E. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

F. This ordinance shall take effect at the time and in the manner provided by law.

G. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore underlining has been omitted.
For purposes of advertising only, new matter is indicated by **bold face**
and repealed matter by *italic*.

JM/he
11/04/15

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE APPROVING AN AMENDMENT TO THE TAX EXEMPTION FOR LAFAYETTE FAMILY PHASE IV URBAN RENEWAL ASSOCIATES, L.P., TO CHANGE THE ENTITY’S NAME TO GLENVIEW TOWNHOUSES URBAN RENEWAL ASSOCIATES, L.P.

Initiator

Department/Division	Law	Law
Name/Title	Joanne Monahan 	Asst. Corporation Counsel
Phone/email	(201) 547-4230	joanne@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

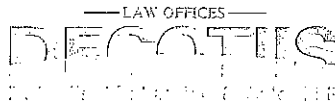
Resolution Purpose

Entity filed an application to amend the tax exemption to reflect the new Entity’s name.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date



NEW YORK
NEW JERSEY

GLENVIEW CENTRE WEST
500 FRANK W. BUFF BOULEVARD, SUITE 81
TEANECK, NEW JERSEY 07686

TELEPHONE: (201) 920-1100
TELEFAX: (201) 920-0586
WWW.DECOTISLAW.COM

DIRECT

MATTHEW C. KARRENBERG, ESQ.
MKARRENBERG@DECOTISLAW.COM
201.907.5279

October 21, 2015

Via Electronic and Overnight Delivery

Joanne Monahan, Esq.
City of Jersey City
City Hall
280 Grove Street
Jersey City, New Jersey 07302

2015 OCT 26 AM 10:32

**Re: Glenview Townhouses Urban Renewal
(fka, Lafayette Family Phase IV
Urban Renewal Associates, LP)**

Dear Ms. Monahan:

As you are aware, the City previously entered into a Financial Agreement with Lafayette Family Phase IV Urban Renewal Associates, LP for a residential project. Due to the fact that there were several projects within the City owned by entities whose name contained "Lafayette Family", for ease of administration it was determined to change the name to Glenview Townhouses Urban Renewal Associates, LP (the "Entity"). Attached hereto please find the Amended and Restated Limited Partnership Certificate reflecting the name change as filed with and approved by the New Jersey Department of Community Affairs and the New Jersey Department of Treasury. Other than the name change, there have been no other changes to the project or to the ownership of the Entity and the Entity continues to comply with the provisions of the Financial Agreement, including the annual reporting requirements.

Unfortunately, the name change was not communicated to all of the appropriate City departments and therefore the Financial Agreement does not reflect this name change. The Entity hereby requests that the City take whatever actions it deems necessary to reflect the correct name of the Entity for purposes of the Financial Agreement. The Entity is willing to assist in any way it can, including without limitation, entering into an amendment and/or re-execution of the Financial Agreement.



Please feel free to contact me with any questions. Thank you in advance for your time and consideration in this matter.

Very truly yours,

DeCOTIS, FITZPATRICK & COLE, LLP

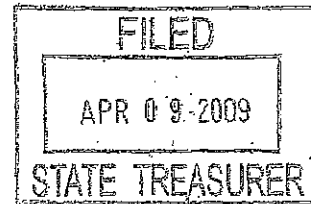
By: _____
Matthew C. Karrenberg

Encl.

cc (via e-mail): Glenview Townhouses Urban Renewal Associates, LP
Marcos Vigil, Deputy Mayor
Maureen Cosgrove, Tax Collector
William Harla, Esq.



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 805
TRENTON, NJ 08625-0805



JON S. CORZINE
Governor

JOSEPH V. DORIA, JR.
Commissioner

DEPARTMENT OF COMMUNITY AFFAIRS

TO: State Treasurer
RE: GLENVIEW TOWNHOUSES URBAN RENEWAL ASSOCIATES, LP
(formerly Lafayette Family Phase IV Urban Renewal Associates, LP, an Urban
Renewal Entity)
File # 657
An Urban Renewal Entity

This is to certify that the attached AMENDED AND RESTATED CERTIFICATE OF
LIMITED PARTNERSHIP OF AN URBAN RENEWAL ENTITY has been examined and approved
by the Department of Community Affairs, pursuant to the power vested in it under the "Long Term
Tax Exemption Law," P.L. 1991, c.431.

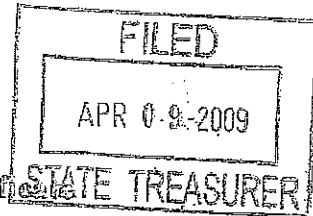
Done this 2ND day of APRIL 20 19 at Trenton, New Jersey.

DEPARTMENT OF COMMUNITY AFFAIRS

BY Cynthia A. Wilk
Cynthia A. Wilk, Director
Division of Codes and Standards



New Jersey Department of Treasury
Division of Revenue



Amended and Restated Limited Partnership Certificate

1. *Name of Limited Partnership:* Lafayette Family Phase IV Urban Renewal Associates, LP, an Urban Renewal Entity
2. *Identification Number:* 0600247241
3. *Date of Filing of Original Certificate:* September 12, 2005
4. *Address of Principal Office:* Three East Stow Road, Suite 100
Marlton, New Jersey 08053
5. *New Name of Limited Partnership:* Glenview Townhouses Urban Renewal Associates, LP
6. *Registered Agent:* Paul T. Chan, Esq.
Registered Office: 3030 Atlantic Avenue
Atlantic City, New Jersey 08401
7. *Character of its Business:*

(a) The purpose for which the partnership is formed shall be to develop, own and operate real estate under the Long Term Tax Exemption Law, P.L.1991, c.431 (C. 40A:20-1 et seq.) and to initiate and conduct projects for the redevelopment of a redevelopment area pursuant to a redevelopment plan, or projects necessary, useful, or convenient for the relocation of residents displaced or to be displaced by the redevelopment of all or part of one or more redevelopment areas, or low and moderate income housing projects, and, when authorized by financial agreement with the municipality, to acquire, plan, develop, construct, alter, maintain or operate housing, senior citizen housing, business, industrial, commercial administrative, community, health, recreational, educational or welfare projects, or any combination of two or more of these types of improvement in a single project, under such conditions as to use, ownership, management and control as regulated pursuant to P.L.1991, c.431 (C. 40A:20-1 et seq.). The partnership may develop a housing project (the "Project") in the City of Jersey City, State of New Jersey as a limited dividend, urban renewal entity.

(b) So long as the partnership is obligated under financial agreement with a municipality made pursuant to P.L.1991, c.431 (C. 40A:20-1 et seq.), it shall

engage in no business other than the ownership, operation and management of the Project.

(c) The partnership has been organized to serve a public purpose, and its operations shall be directed toward:

- (1) the redevelopment of redevelopment areas, the facilitation of the relocation of residents displaced or to be displaced by redevelopment, or the conduct of low and moderate income housing projects;
- (2) the acquisition, management and operation of a project, redevelopment relocation housing project, or low and moderate income housing project under P.L.1991, c.431 (C. 40A:20-1 et seq.);
- (3) that it shall be subject to regulation by the municipality in which its Project is situated, and to a limitation or prohibition, as appropriate, on profits or dividends for so long as it remains the owner of a project subject to P.L.1991, c.431 (C. 40A:20-1 et seq.).

(d) The partnership shall not voluntarily transfer more than 10% of the ownership of the Project or any portion thereof undertaken by it under P.L.1991, c.431 (C. 40A:20-1 et seq.), until it has first removed both itself and the Project from all restrictions of P.L.1991, c.431 (C. 40A:20-1 et seq.) in the manner required by P.L.1991, c.431 (C. 40A:20-1 et seq.) and, if the Project includes housing units, has obtained the consent of the Commissioner of Community Affairs to such transfer; with the exception of transfer to another urban renewal entity, as approved by the municipality in which the Project is situated, which other urban renewal entity shall assume all contractual obligations of the transferor entity under the financial agreement with the municipality. The partnership shall file annually with the municipal governing body a disclosure of the persons having an ownership interest in the Project, and of the extent of the ownership interest of each. Nothing herein shall prohibit any transfer of the ownership interest in the urban renewal entity itself provided that the transfer, if greater than 10 percent, is disclosed to the municipal governing body in the annual disclosure statement or in correspondence sent to the municipality in advance of the annual disclosure statement referred to above.

(e) The partnership is subject to the provisions of Section 18 of P.L. 1991, c. 431 (C. 40A:20-18) respecting the powers of the municipality to alleviate financial difficulties of the urban renewal entity or to perform actions on behalf of the entity upon a determination of financial emergency.

19. *Effective date of amendment if subsequent to date of filing: (Must be within 30 days following date of filing):*

Effective date is the date of filing.

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City Clerk File No. Ord. 15.162

Agenda No. 3.K 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 15.162

**TITLE: ORDINANCE IMPLEMENTING CHAPTER 2 (REGULAR MUNICIPAL ELECTIONS) TO
CHANGE THE DATE OF THE REGULAR MUNICIPAL ELECTION FROM THE SECOND
TUESDAY IN MAY TO THE DAY OF THE GENERAL ELECTION IN NOVEMBER**

COUNCIL AS A WHOLE offered and moved adoption of the following ordinance:

WHEREAS, pursuant to the Uniform Nonpartisan Elections Law, N.J.S.A. 40:45-7, the regular municipal elections of the City of Jersey City are required to be held on the second Tuesday in May; and

WHEREAS, pursuant to N.J.S.A. 40:45-7.1, a municipality may, by ordinance, choose to hold its regular municipal election on the same day as the general election in November; and

WHEREAS, holding the regular municipal election in November, will save the taxpayers approximately \$400,000 per election; and

WHEREAS, in addition to saving these costs, conducting the regular municipal election in November should also minimize voter fatigue and insure broader participation by the electorate in municipal elections, as well as align the terms of elected municipal officials with the City's own fiscal year; and

WHEREAS, in order to ascertain the opinion of the voting public, the Municipal Council submitted a request the County Clerk pursuant to N.J.S.A. 19:37-1 to place on the official ballots of the November 3, 2015 general election, a non binding proposition, concerning the issue; and

WHEREAS, the proposition read as follows: "Should the Municipal Council of the City of Jersey City change the date of its regular municipal elections from the second Tuesday in May to the day of the general election in November, pursuant to the Uniform Nonpartisan Elections Law, N.J.S.A. 40:45-7?"; and

WHEREAS, at the election on November 3, 2015, a majority of those voting favored changing the date of the regular municipal election from the second Tuesday in May to the day of the general election in November; and

WHEREAS, it is therefore, the desire and duty of the Municipal Council of the City of Jersey City to implement the will of the voters and adopt an amendment to the Municipal Code to change the date of municipal elections from the second Tuesday in May to the day of the general election in November.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the City of Jersey City that:

Chapter 2. Regular Municipal Elections:

ORDINANCE IMPLEMENTING CHAPTER 2 (REGULAR MUNICIPAL ELECTIONS) TO CHANGE THE DATE OF THE REGULAR MUNICIPAL ELECTION FROM THE SECOND TUESDAY IN MAY TO THE DAY OF THE GENERAL ELECTION IN NOVEMBER

- Article I Regular Municipal elections of the City of Jersey City shall be conducted on the same day as the general election, that is, the day after the first Monday in November.
- Article II The terms of the elected officials presently holding office are hereby extended from July 1st to December 31st. Thereafter, the term of any elected official in the November election shall commence on the next following January 1st.
- Article III In the event that a runoff election is required by law, it shall be held at a special election on the subsequent Tuesday next after the first Monday in December.
- Article IV The City of Jersey City shall not adopt an ordinance to change the regular municipal elections back to the second Tuesday in May for a period of at least 10 years
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐